

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

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2008-09327

ORDER ON APPLICATION  
Application to Withdraw Appeal

Wendy Flederbach, et al., plaintiffs-respondents,  
v Yvacheslav Fayman, et al., defendants-  
respondents, Suffolk County Department of  
Public Works, et al., appellants.

(Index No. 27369/03)

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Application by the appellants to withdraw an appeal from an order of the Supreme Court, Suffolk County, dated September 10, 2008.

Upon the papers filed in support of the application and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the application is granted and the appeal is marked withdrawn.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 31, 2008

FLEDERBACH v FAYMAN