

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

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2008-02477

Stephen B. Auerbach, etc., appellant-respondent,
v Samuel J. Klein, et al., defendants, Kirk
Fybel, respondent-appellant.

ORDER ON APPLICATION
Withdraw Appeal on Stipulation

(Index No. 15391-02)

Appeal and cross appeal from an order of the Supreme Court, Suffolk County, January
14, 2008.

Upon the stipulation of the parties, dated October 31, 2008, it is

ORDERED that the appeal and cross appeal are marked withdrawn.

ENTER:



James Edward Pelzer
Clerk of the Court

November 7, 2008

AUERBACH v KLEIN