

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

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2008-04112

ORDER ON APPLICATION  
Application to Withdraw Appeal

Yehuda Zoberman, plaintiff-respondent,  
v Yeshivas Novominsk, defendant third-party  
plaintiff-appellant, Fimor Construction &  
Development Corp., defendant-respondent,  
et al., defendant; W.W. & Sons Plumbing &  
Heating, third-party defendant-respondent.

(Index No. 9490/05)

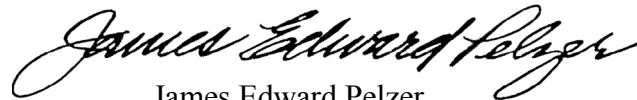
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Application by the appellant to withdraw an appeal from an order of the Supreme Court, Kings County, dated April 9, 2008.

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ORDERED that the application is granted and the appeal is marked withdrawn.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

November 7, 2008

ZOBERMAN v NOVOMINSK