

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

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2008-09166

ORDER ON APPLICATION
Application to Withdraw Appeal

Sara Construction, LLC, et al., respondents,
v Gemini Tile and Marble, Inc., appellant.

(Index No. 07-00018)

Application by the appellant to withdraw an appeal from an order of the Supreme Court, Orange County, dated July 31, 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ORDERED that the application is granted and the appeal is marked withdrawn.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

December 3, 2008

SARA CONSTRUCTION, LLC v GEMINI TILE AND MARBLE, INC.