

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

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2008-03818

ORDER ON APPLICATION  
Application to Withdraw Appeal

Waterways Development Corporation, appellant,  
v Town Board of Town of Brookhaven, et al.,  
respondents.

(Index No. 28371-06)

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Application by the appellant to withdraw an appeal from an order of the Supreme Court, Suffolk County, dated March 18, 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ORDERED that the application is granted and the appeal is marked withdrawn.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

WATERWAYS DEVELOPMENT CORPORATION  
v TOWN BOARD OF TOWN OF BROOKHAVEN