

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

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2008-07658

ORDER ON APPLICATION
Application to Withdraw Appeal

Jeremy Cavolo, plaintiff-respondent,
v Atlas Health and Fitness, defendant-
respondent, Precor Incorporated, etc.,
appellant.

(Index No. 103372/05)

Application by the appellant to withdraw an appeal from an order of the Supreme Court, Richmond County, dated July 23, 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ORDERED that the application is granted and the appeal is marked withdrawn.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

CAVOLO v ATLAS HEALTH AND FITNESS