

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

M79473  
E/sl

REINALDO E. RIVERA, J.P.  
MARK C. DILLON  
JOSEPH COVELLO  
WILLIAM E. McCARTHY, JJ.

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2008-03507

DECISION & ORDER ON MOTION

Jennifer Mizrahi, respondent,  
v Aaron Mizrahi, appellant.

(Index No. 202601/05)

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Appeal by Aaron Mizrahi from a judgment of the Supreme Court, Nassau County, dated March 10, 2008. By order to show cause dated November 17, 2008, the parties or their attorneys were directed to show cause before this court why an order should or should not be made and entered dismissing the appeal on the ground that the appellant stipulated to withdraw the appeal in a stipulation dated October 28, 2008.

Now, on the court's own motion, and the papers filed in response to the order to show cause, it is

ORDERED that the appeal is dismissed, without costs or disbursements, on the ground that the appellant stipulated to withdraw the appeal in a stipulation dated October 28, 2008.

RIVERA, J.P., DILLON, COVELLO and McCARTHY, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

December 5, 2008

MIZRAHI v MIZRAHI