

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

M79548  
L/

PETER B. SKELOS, , J.P.  
ROBERT A. LIFSON  
FRED T. SANTUCCI  
EDWARD D. CARNI, JJ.

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2007-05807

DECISION & ORDER ON APPLICATION  
Withdraw Appeal on Stipulation

Chaim Lipschitz, respondent, v Roy Swaby,  
appellant, et al., defendants.

(Index No. 27527/99)

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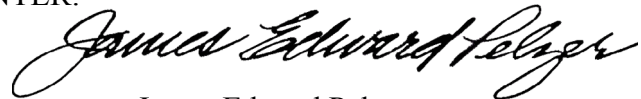
Application to withdraw an appeal from an order of the Supreme Court, Kings County, dated May 4, 2007.

Upon the stipulation of the attorneys for the respective parties, dated October 29, 2008, it is

ORDERED that the application is granted and the appeal is deemed withdrawn, without costs or disbursements.

SKELOS, J.P., LIFSON, SANTUCCI and CARNI, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

December 5, 2008

LIPSCHITZ v SWABY