

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

M80072
S/nl

2008-01605, 2008-10867

North Fork Preserve, Inc., et al., appellants,
v Myron Kaplan, et al., respondents.
(Appeal No. 1)

ORDER ON APPLICATION
Application to Withdraw Appeal

North Fork Preserve, Inc., et al., appellants-
respondents, v Myron Kaplan, et al., respondents-
appellants.
(Appeal No. 2)

(Index No. 27167-04)

Application by the respondents-appellants on an appeal from an order of the Supreme Court, Suffolk County, dated January 10, 2008, and an appeal and cross appeal from an order of the same court dated September 25, 2008, to withdraw the cross appeal from the order dated September 25, 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ORDERED that the application is granted and the cross appeal is marked withdrawn.

ENTER:



James Edward Pelzer
Clerk of the Court

December 17, 2008

NORTH FORK PRESERVE, INC. v KAPLAN