

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

M86439
F/

2008-11656

Stanislaw Polionis, et al., plaintiffs-respondents,
v 199 State Street Equity, LLC, et al., appellants;
Noho Construction, fourth-party defendant-respondent.

(Index No. 9046/06)

ORDER ON APPLICATION
Withdraw Appeal on Stipulation

Appeal from an order of the Supreme Court, Kings County, dated November 7, 2008.

Upon the stipulation of the parties, dated May 4, 2009, it is

ORDERED that the appeal is marked withdrawn.

ENTER:



James Edward Pelzer
Clerk of the Court

May 11, 2009

POLIONIS v 199 STATE STREET EQUITY, LLC