

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

M86546
L/

2008-02430

ORDER ON APPLICATION
Application to Withdraw Appeal

Beverly Duncan, etc., et al., plaintiffs-respondents,
v Elaine Bernstein, defendant third-party plaintiff-
respondent, et al., defendants; Lynette Baiocco,
et al., third-party defendants-appellants.

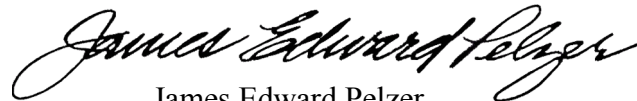
(Index No. 34569/05)

Application by the appellants to withdraw an appeal from an order of the Supreme Court, Kings County, dated January 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ORDERED that the application is granted and the appeal is marked withdrawn.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

May 12, 2009

DUNCAN v BERNSTEIN