

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

M86694  
S/cb

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2009-02390

ORDER ON APPLICATION  
Application to Withdraw Appeal

Helene Byrnes, et al., respondents, v  
Marc Castaldi, et al., appellants, et al.,  
defendants.

(Index No. 08-09820)

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Application by the appellants to withdraw an appeal from an order of the Supreme Court, Westchester County, dated February 11, 2009.

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ORDERED that the application is granted and the appeal is marked withdrawn.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 15, 2009

BYRNES v CASTALDI