

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

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2008-07491

In the Matter of BWM High & Dry, Inc., respondent,  
v Board of Assessors of the County of Nassau,  
et al., appellants.

ORDER ON APPLICATION  
Application to Withdraw Appeal

(Index No. 403076/05)

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Application by the appellants to withdraw an appeal from an order and judgment (one paper) of the Supreme Court, Nassau County, dated June 12, 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ORDERED that the application is granted and the appeal is marked withdrawn.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

June 12, 2009

MATTER OF BWM HIGH & DRY, INC. v BOARD OF ASSESSORS OF THE  
COUNTY OF NASSAU