

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

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2008-11583

George F. X. McInerney, plaintiff-respondent,  
Deborah McInerney, plaintiff-appellant,  
v Joseph M. Berlese, defendant third-party  
plaintiff respondent-appellant, Paula Murphy,  
defendant-respondent, State Farm Fire & Casualty  
Co., et al., third-party defendants appellants-respondents.

ORDER ON APPLICATION  
Application to Withdraw Appeal

(Index No. 12935/05)


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Application by the appellants-respondents and respondent-appellant to withdraw an appeal and cross appeal from an order of the Supreme Court, Suffolk County, dated November 18, 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ORDERED that the application is granted and the appeal by the appellants-respondents and respondent-appellant is marked withdrawn.

ENTER:



James Edward Pelzer  
Clerk of the Court

June 12, 2009

McINERNEY v BERLESE