

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

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2009-03344

Patricia Marchese, respondent,  
v 96-02 Rockaway Blvd. Assoc., LLC, respondent-  
appellant, Eckerd Corp., appellant-respondent.

ORDER ON APPLICATION  
Application to Withdraw Appeal

(Index No. 28852/06)

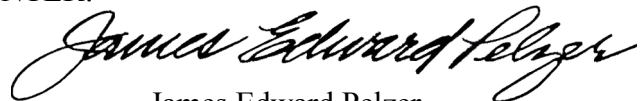
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Application by the respondent-appellant to withdraw a cross appeal from an order of the Supreme Court, Queens County, dated February 26, 2009.

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ORDERED that the application is granted and the cross appeal by the respondent-appellant is marked withdrawn.

ENTER:



James Edward Pelzer  
Clerk of the Court

June 17, 2009

MARCHESE v 96-02 ROCKAWAY BLVD. ASSOC., LLC