

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

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2009-00490

ORDER ON APPLICATION  
Application to Withdraw Appeal

Frank DiNatale, respondent, v Edward  
Mahoney, et al., appellants, et al., defendant.

(Index No. 103522/06)

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Separate applications by the appellants to withdraw their respective appeals from an order of the Supreme Court, Richmond County, dated December 10, 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ORDERED that the applications are granted and the appeals are marked withdrawn.

ENTER:



James Edward Pelzer  
Clerk of the Court

July 6, 2009

DiNATALE v MAHONEY