

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

M89563
L/

2009-00887

ORDER ON APPLICATION
Application to Withdraw Appeal

Irvin Tabickman, plaintiff-respondent,
v Batchelder Street Condominiums by the
Bay, LLC, et al., appellants, Sal Marra
Construction Corp., a/k/a SMCC Construction
Corp., defendant-respondent.

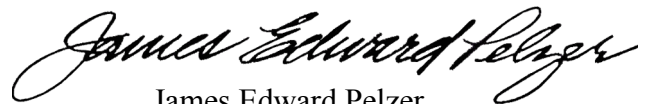
(Index No. 11379/03)

Application by the appellants to withdraw an appeal from a judgment of the Supreme Court, Kings County, dated October 29, 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ORDERED that the application is granted and the appeal is marked withdrawn.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

July 17, 2009

TABICKMAN v BATCHELDER STREET CONDOMINIUMS BY THE BAY, LLC