

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

M89786  
E/sl

STEVEN W. FISHER, J.P.  
THOMAS A. DICKERSON  
ARIEL E. BELEN  
CHERYL E. CHAMBERS, JJ.

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2008-05343

DECISION & ORDER ON MOTION

Robert G. A. Thompson, et al., plaintiffs-respondents, v 76 Corp., et al., defendants-respondents, Sean Combs, etc., appellant.

(Index No. 50106/99)

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Motion by the appellant to recall and vacate so much of a decision and order on motion of this court, entitled "In the Matter of the Dismissal of Causes for Failure to Perfect - February 2009 Calendar," dated March 17, 2009, as dismissed an appeal from an order of the Supreme Court, Kings County, dated April 2, 2008.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is denied.

FISHER, J.P., DICKERSON, BELEN and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

July 22, 2009

THOMPSON v 76 CORP.