

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

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2008-02912

Polusz Construction Corp., plaintiff-appellant,  
v Shorefront Jewish Geriatric Center, Inc., et al.,  
respondents, Platte River Insurance Company,  
defendant-appellant.

ORDER ON APPLICATION  
Application to Withdraw Appeal

(Index No. 44821/07)

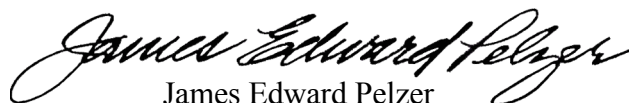
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Application by the plaintiff-appellant Polusz Construction Corp. to withdraw an appeal from an order of the Supreme Court, Kings County, dated February 13, 2008.

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 plaintiff-appellant Polusz Construction Corp. is marked withdrawn.

ENTER:



James Edward Pelzer  
Clerk of the Court

July 29, 2009

POLUSZ CONSTRUCTION CORP. v SHOREFRONT JEWISH GERIATRIC  
CENTER, INC.