

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

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2009-00216

Bernadette Clark, respondent,  
v Kiewit Construction Co., et al., appellants.

ORDER ON APPLICATION  
Application to Withdraw Appeal

(Index No. 2367/08)

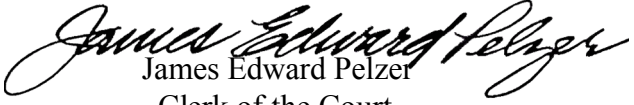
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Application by the appellants to withdraw an appeal from an order of the Supreme Court, Orange County, dated December 4, 2008.

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ORDERED that the application is granted and the appeal is marked withdrawn.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 31, 2009

CLARK v KIEWIT CONSTRUCTION CO.