

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

M90213
F/

2009-01334

Mournir Spiridon, et al., respondents,
v David Rivadeneira, et al., appellants.

ORDER ON APPLICATION
Application to Withdraw Appeal

(Index No. 17616/05)

Application by the appellant Mark Gelfand to withdraw an appeal from an order of the Supreme Court, Suffolk County, dated December 23, 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ORDERED that the application is granted and the appeal by the appellant Mark Gelfand is marked withdrawn.

ENTER:



James Edward Pelzer
Clerk of the Court

July 31, 2009

SPIRIDON v RIVADENEIRA