

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

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2009-04932

ORDER ON APPLICATION  
Application to Withdraw Appeal

Nancy Schalkham, plaintiff-appellant,  
v Great Atlantic & Pacific Tea Co.,  
et al., respondents, Ground Pro, Inc.,  
defendant-appellant.

(Index No. 2785/07)

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Application by the appellant to withdraw an appeal from an order of the Supreme Court, Dutchess County, dated April 17, 2009.

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ORDERED that the application is granted and the appeal is marked withdrawn.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

August 4, 2009

SCHALKHAM v GREAT ATLANTIC & PACIFIC TEA CO.