

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

M90647
L/

2009-01704

ORDER ON APPLICATION
Application to Withdraw Appeal

Christian Rodgers, plaintiff-respondent,
v City of New York, et al., defendants-
respondents, Urbitran Associates, Inc.,
et al., appellants-respondents, Amman &
Whitney, Inc., respondent-appellant.

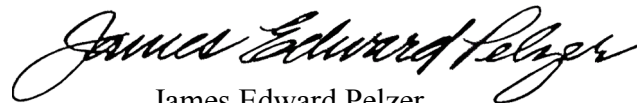
(Index No. 36779/02)

Application by the appellant Tully Construction Co., Inc., to withdraw an appeal from
an order of the Supreme Court, Kings County, dated January 13, 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 by the appellant Tully
Construction Co., Inc., is marked withdrawn.

ENTER:



James Edward Pelzer
Clerk of the Court

August 11, 2009

RODGERS v CITY OF NEW YORK