

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

M90908  
L/

A. GAIL PRUDENTI, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
ROBERT A. SPOLZINO  
PETER B. SKELOS, JJ.

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2008-11560, 2009-03269

DECISION & ORDER ON APPLICATION  
Application to Withdraw Appeal

Susan Marr, respondent, v Clearview Gardens  
Second Corporation, appellant.

(Index No. 24124/08)

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Application by the appellant for leave to withdraw appeals from two orders of the Supreme Court, Queens County, dated September 30, 2008, and October 22, 2008, respectively.

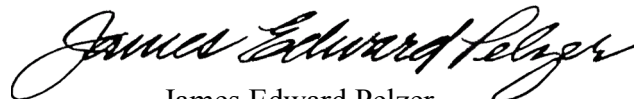
Upon the papers filed in support of the application, and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the application is granted and the appeals are deemed withdrawn, without costs or disbursements; and it is further,

ORDERED that the stay granted by decision and order on motion of this court dated January 15, 2009, is vacated forthwith.

PRUDENTI, P.J., MASTRO, RIVERA, SPOLZINO and SKELOS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 17, 2009

MARR v CLEARVIEW GARDENS SECOND CORPORATION