

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

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2009-01178

ORDER ON APPLICATION  
Application to Withdraw Appeal

Wueder Frison, respondent, v Kausirk Roy,  
s/h/a Roy Kausir, respondent-appellant,  
City of New York, appellant-respondent.

(Index No. 12609/04)

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Application by the respondent-appellant to withdraw a cross appeal from an order of the Supreme Court, Queens County, dated December 15, 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ORDERED that the application is granted and the cross appeal by the respondent-appellant is marked withdrawn.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 25, 2009

FRISON v ROY, s/h/a KAUSIR