

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

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2009-03015

ORDER ON APPLICATION
Application to Withdraw Appeal

Benedetto DiGeronimo, et al., respondents,
v Arnell Construction Corp., appellant-
respondent, Kreisler Borg Florman General
Construction Company, respondent-appellant.

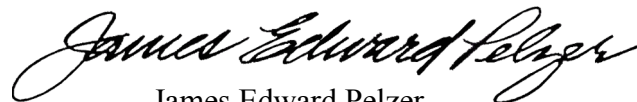
(Index No. 36829/04)

Application by the appellant-respondent to withdraw an appeal from an order of the Supreme Court, Kings County, dated December 4, 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ORDERED that the application is granted and the appeal by the appellant-respondent is marked withdrawn.

ENTER:



James Edward Pelzer
Clerk of the Court

August 26, 2009

DiGERONIMO v ARNELL CONSTRUCTION CORP.