

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

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2009-01997

ORDER ON APPLICATION
Application to Withdraw Appeal

Antoinette Addonizio, et al., respondents-
appellants, v Smiley Brothers, Inc.,
appellant-respondent.

(Index No. 04-20321)

Application by the appellant-respondent to withdraw an appeal from an order of the Supreme Court, Westchester County, dated January 29, 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ORDERED that the application is granted and the appeal by the appellant-respondent is marked withdrawn.

ENTER:



James Edward Pelzer
Clerk of the Court

September 2, 2009

ADDONIZIO v SMILEY BROTHERS, INC.