

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

M92523
L/

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

2008-10935

DECISION & ORDER ON APPLICATION
Withdraw Appeal on Stipulation

John P. Mantovani, plaintiff-respondent,
v Whiting-Turner Contracting Company, defendant
second third-party plaintiff-appellant, Herbert G.
Martin, Inc., defendant third-party plaintiff/
fourth-party plaintiff, et al., defendants; ADCO
Electrical Corp, third-party defendant-respondent;
United Rental, fourth-party defendant; Carmody
Contracting, Inc., second third-party defendant-
respondent.

(Index No. 08-11259)

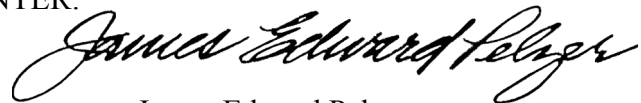
Application to withdraw an appeal from an order of the Supreme Court, Westchester County, entered November 13, 2008.

Upon the stipulation of the attorneys for the respective parties, dated September 16, 2009, it is

ORDERED that the application is granted and the appeal is deemed withdrawn, without costs or disbursements.

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

ENTER:



James Edward Pelzer
Clerk of the Court

September 29, 2009

MANTOVANI v WHITING-TURNER CONTRACTING COMPANY