

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

M244900  
HTR/

ALAN D. SCHEINKMAN, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
MARK C. DILLON  
RUTH C. BALKIN, JJ.

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2016-01725

DECISION & ORDER ON APPLICATION

Wendy Duke, etc., plaintiff-respondent,  
v Village of Tarrytown, et al., defendants-  
respondents, Charles A. Manganaro Consulting  
Engineers, et al., appellants.

(Index No. 59227/11 )

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Application by the appellant Summit Construction Services Group on appeals from an order of the Supreme Court, Westchester County, dated January 27, 2016, for leave to withdraw its appeal.

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ORDERED that the application is granted and the appeal by the appellant Summit Construction Services Group is deemed withdrawn, without costs or disbursements.

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BALKIN, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

January 18, 2018

DUKE v VILLAGE OF TARRYTOWN