

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

M247345  
HTR/

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

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2017-05687

DECISION & ORDER ON APPLICATION  
Application to Withdraw Appeal

Waterfalls Italian Cuisine, Inc., et al,  
appellants, v Cheryl Sellitti, etc.,  
respondent.

(Index No. 101254/15)

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Application by the appellants for leave to withdraw an appeal from an order of the Supreme Court, Richmond County, dated April 6, 2017.

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ORDERED that the application is granted and the appeal is deemed withdrawn, without costs or disbursements.

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

ENTER:



Aprilanne Agostino  
Clerk of the Court

March 13, 2018

WATERFALLS ITALIAN CUISINE, INC. v SELLITTI