

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

M247871  
HTR/

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

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2015-06215

DECISION & ORDER ON APPLICATION  
Withdraw Appeal on Stipulation

Derrick Kelley, et al., appellants, v Wheelabrator Westchester, L.P., defendant third-party plaintiff-respondent, Wheelabrator Environmental Systems, Inc., et al., defendants-respondents, Zampell Refractories, Inc., defendant third-party defendant second third-party plaintiff-respondent; FW Services, Inc., doing business as Pacesetter Personnel Services, et al., second third-party defendants-respondents.

(Index No. 50778/12)

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Application to withdraw an appeal from an order of the Supreme Court, Westchester County, dated July 7, 2015.

Upon the stipulation of the attorneys for the respective parties to the appeal dated March 16, 2018, 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ORDERED that the application is granted and the appeal is deemed withdrawn, without costs or disbursements.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 22, 2018

KELLEY v WHEELABRATOR WESTCHESTER, L.P.