

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

-----X
In the Matter of the Application of
W.J.F. REALTY CORP. and REED RUBIN,
Petitioners,

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules

- against -

CENTRAL PINE BARRENS JOINT PLANNING
AND POLICY COMMISSION,

Respondent.

-----X
ORDER OF DISCONTINUANCE
ON STIPULATION

Index No. 94-8132

Assigned to: Hon.
H. Patrick Leis, III

Upon the "Stipulation of Discontinuance," dated the 17th day
of November, 1994, and filed herein, it is hereby

ORDERED that the above-entitled special proceeding be and the
same hereby is discontinued without prejudice and without costs to
either party as against the other. Notwithstanding the foregoing,
and in accordance with the "Stipulation of Discontinuance",
petitioners shall not commence a new proceeding seeking the
specific mandamus relief sought herein.

Signed this 9th day of January, 1995 at Central Islip, New York.

ENTER

H. PATRICK LEIS III

HON. H. PATRICK LEIS, III,
Justice of the Supreme
Court, Suffolk County

FILED

JAN 12 1995

EDWARD P. ROMAINE
CLERK OF SUFFOLK COUNTY

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

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STIPULATION OF
DISCONTINUANCE

Index No. 94-8132

Assigned to: Hon.
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The Respondent in the above-entitled proceeding having
accomplished the acts sought to be compelled by Petitioners, and no
party hereto being an infant, and no party hereto being an
incompetent for whom a committee has been appointed, and no party
hereto being a conservatee, and there being no person not a party
with an interest in the subject matter of the proceeding, it is
hereby stipulated and agreed by and between the attorneys for the
respective parties hereto that:

1. The above-entitled proceeding be and the same hereby is
discontinued, without prejudice and without costs to either party
as against the other, upon the filing of this stipulation with the
Clerk of the Court pursuant to Rule 3217 of the Civil Practice Law
and Rules; and

2. Notwithstanding the foregoing, Petitioners acknowledge
that they cannot and will not, following discontinuance of this

proceeding, commence a new proceeding seeking the specific mandamus relief that was sought in this proceeding.

Dated: Riverhead, New York
November 17, 1994

Esseks, Hefter & Angel

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FILED

JAN 13 1995

EDWARD P. ROMAINE
CLERK OF SUFFOLK COUNTY