

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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CA 15-01910

PRESENT: WHALEN, P.J., CENTRA, NEMOYER, TROUTMAN, AND SCUDDER, JJ.

MIDLAND FUNDING, LLC, AS PURCHASER OF WEBBANK,
PLAINTIFF-RESPONDENT,

V

ORDER

GLIEE GUNSALUS, DEFENDANT-APPELLANT.

DAVID M. KAPLAN, PENFIELD, FOR DEFENDANT-APPELLANT.

FORSTER & GARBUS, LLP, COMMACK (VALERIE E. WATTS OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Ontario County
(Frederick G. Reed, A.J.), entered August 5, 2015. The order denied
the motion of defendant for summary judgment.

Now, upon the stipulation of discontinuance signed by the
attorneys for the parties on April 6, 2016, and filed in the Ontario
County Clerk's Office on May 9, 2016,

It is hereby ORDERED that said appeal is unanimously dismissed
without costs upon stipulation.

Entered: October 7, 2016

Frances E. Cafarell
Clerk of the Court