

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

1379

**CA 13-00814**

PRESENT: SCUDDER, P.J., CENTRA, CARNI, SCONIERS, AND WHALEN, JJ.

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JASON M. ISAMAN, PLAINTIFF-RESPONDENT,

V

ORDER

CHRISTOPHER R. TRAVIS, PORTVILLE TRUCK AND AUTO  
REPAIR, INC. AND WILL DO CONSTRUCTION, LLC,  
DEFENDANTS-APPELLANTS.

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CONNORS & VILARDO, LLP, BUFFALO (LAWLOR F. QUINLAN, III, OF COUNSEL),  
FOR DEFENDANTS-APPELLANTS CHRISTOPHER R. TRAVIS AND PORTVILLE TRUCK  
AND AUTO REPAIR, INC.

AUGELLO & MATTELIANO, LLP, BUFFALO (JOSEPH A. MATTELIANO OF COUNSEL),  
FOR DEFENDANT-APPELLANT WILL DO CONSTRUCTION, LLC.

LAW OFFICE OF FRANCIS M. LETRO, BUFFALO (FRANCIS M. LETRO OF COUNSEL),  
FOR PLAINTIFF-RESPONDENT.

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Appeals from an order of the Supreme Court, Cattaraugus County  
(Michael L. Nenno, A.J.), entered October 24, 2012 in a personal  
injury action. The order denied in part the respective motion and  
cross motion of defendants for summary judgment dismissing the  
complaint and all cross claims against them.

Now, upon the stipulation of discontinuance signed by the  
attorneys for the parties on December 16, 2013, and filed in the  
Cattaraugus County Clerk's Office on January 23, 2014,

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

Entered: February 7, 2014

Frances E. Cafarell  
Clerk of the Court