

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

1006

CA 14-02208

PRESENT: SCUDDER, P.J., SMITH, LINDLEY, VALENTINO, AND WHALEN, JJ.

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TREVA CHILDS, PLAINTIFF-APPELLANT,

V

ORDER

SHARON STERN-GERSTMAN, DEFENDANT-RESPONDENT,  
ET AL., DEFENDANT.

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LAW OFFICES OF WAYNE C. FELLE, P.C., WILLIAMSVILLE (WAYNE C. FELLE OF COUNSEL), FOR PLAINTIFF-APPELLANT.

KENNEY SHELTON LIPTAK NOWAK LLP, BUFFALO (ALAN J. DEPETERS OF COUNSEL), FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered March 29, 2014. The order, among other things, denied the motion of plaintiff for partial summary judgment against defendant Sharon Stern-Gerstman.

Now, upon reading and filing the stipulation of withdrawal signed by the attorneys for the parties on September 2, 2015,

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

Entered: October 2, 2015

Frances E. Cafarell  
Clerk of the Court