

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

**1130/16**

**CA 16-00719**

PRESENT: SMITH, J.P., DEJOSEPH, CURRAN, AND SCUDDER, JJ.

---

KENNETH ZIOLKOWSKI, PLAINTIFF-RESPONDENT,

V

ORDER

HAN-TEK, INC., AND ZYNERGY SOLUTIONS, INC.,  
DEFENDANTS-APPELLANTS.

---

LAW OFFICES OF DESTIN C. SANTACROSE, BUFFALO (DESTIN C. SANTACROSE OF  
COUNSEL), FOR DEFENDANT-APPELLANT HAN-TEK, INC.

TREVETT CRISTO SALZER & ANDOLINA, P.C., ROCHESTER (DANIEL P. DEBOLT OF  
COUNSEL), FOR DEFENDANT-APPELLANT ZYNERGY SOLUTIONS, INC.

LAW OFFICE OF THOMAS C. PARES, BUFFALO (THOMAS C. PARES OF COUNSEL),  
FOR PLAINTIFF-RESPONDENT.

---

Appeals from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered February 26, 2016. The order denied the motions of defendants to dismiss the complaint pursuant to CPLR 3216.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on February 13, 2017, and filed in the Erie County Clerk's Office on March 14, 2017,

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

Entered: April 28, 2017

Frances E. Cafarell  
Clerk of the Court