

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

1210

CA 19-00727

PRESENT: CENTRA, J.P., CARNI, LINDLEY, CURRAN, AND TROUTMAN, JJ.

ROBERT M. KNAB, JR., PLAINTIFF-RESPONDENT,

V

ORDER

DREW ROBERTSON, GRACEANN ROBERTSON, PAUL ROBERTSON, DEFENDANTS-RESPONDENTS, AND FOIT-ALBERT ASSOCIATES, ARCHITECTURE, ENGINEERING AND SURVEYING, P.C., DEFENDANT-APPELLANT.

LAW OFFICES OF DESTIN C. SANTACROSE, BUFFALO (RICHARD S. POVEROMO OF COUNSEL), FOR DEFENDANT-APPELLANT.

LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (JOHN A. COLLINS OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

BOUVIER PARTNERSHIP LLP, BUFFALO (PAUL F. HAMMOND OF COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered September 21, 2018. The order, among other things, denied the motion of defendant Foit-Albert Associates, Architecture, Engineering and Surveying, P.C. for summary judgment dismissing the complaint.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on February 12, 2020,

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

Entered: March 13, 2020

Mark W. Bennett
Clerk of the Court