

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

736

CA 10-00220

PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, LINDLEY, AND SCONIERS, JJ.

ROBERT PIECHOCKI, III, PLAINTIFF-RESPONDENT,

V

ORDER

TOWN OF ALEXANDER, DEFENDANT-APPELLANT,
ET AL., DEFENDANT.

UNDERBERG & KESSLER LLP, BUFFALO (COLIN D. RAMSEY OF COUNSEL), FOR
DEFENDANT-APPELLANT.

DADD, NELSON & WILKINSON, ATTICA (JAMES M. WUJCIK OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Genesee County (Robert C. Noonan, A.J.), entered September 23, 2009 in a personal injury action. The order denied the motion of defendant Town of Alexander.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on May 25 and 29, 2010,

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

Entered: June 11, 2010

Patricia L. Morgan
Clerk of the Court