

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

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CA 09-00106

PRESENT: CENTRA, J.P., PERADOTTO, GREEN, PINE, AND GORSKI, JJ.

ALLYSON N. DANIELLO, PLAINTIFF-APPELLANT,

V

ORDER

JUSTIN J. POWELL AND THOMAS HARE, JR.,
DEFENDANTS-RESPONDENTS.

BRINDISI, MURAD, BRINDISI, PEARLMAN, JULIAN & PERTZ, LLP, UTICA
(ANTHONY J. BRINDISI OF COUNSEL), FOR PLAINTIFF-APPELLANT.

LAW OFFICE OF KEITH D. MILLER, LIVERPOOL (KEITH D. MILLER OF COUNSEL),
FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered May 6, 2008 in a personal injury action. The order granted the motion of defendants for summary judgment and dismissed the complaint.

Now, upon reading and filing the stipulation withdrawing appeal signed by the attorneys for the parties on April 6, 2009,

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

Entered: June 5, 2009

Patricia L. Morgan
Clerk of the Court