

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

1310

CA 09-01008

PRESENT: HURLBUTT, J.P., CENTRA, FAHEY, PERADOTTO, AND GORSKI, JJ.

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NORMAN G. HARTLOFF, PLAINTIFF-APPELLANT,

V

ORDER

LORIGO, LLC, DEFENDANT-RESPONDENT.

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CAMPBELL & SHELTON LLP, EDEN (R. COLIN CAMPBELL OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

KENNEY SHELTON LIPTAK NOWAK LLP, BUFFALO (BRIAN A. MACDONALD OF  
COUNSEL), FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Joseph G. Makowski, J.), entered December 4, 2008 in a personal injury action. The order granted the motion of defendant for summary judgment and dismissed the complaint.

Now, upon reading and filing the stipulation to withdraw appeal signed by the attorneys for the parties on October 20, 2009,

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

Entered: December 30, 2009

Patricia L. Morgan  
Clerk of the Court