

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

1594

CA 09-00867

PRESENT: HURLBUTT, J.P., SMITH, FAHEY, AND CARNI, JJ.

STATE FARM FIRE & CASUALTY COMPANY AS SUBROGEE
OF CAROL D. ROBINSON, PLAINTIFF-RESPONDENT,

V

ORDER

GRIFFITH ENERGY, INC., DEFENDANT-APPELLANT.

TREVETT CRISTO SALZER & ANDOLINA P.C., ROCHESTER (MARK M. CAMPANELLA
OF COUNSEL), FOR DEFENDANT-APPELLANT.

SCOTT AND GILBERT, LLP, CANANDAIGUA (JOHN J. GILBERT OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Ontario County (Craig J. Doran, A.J.), entered January 29, 2009. The order, inter alia, denied the motion of defendant for summary judgment.

Now, upon reading and filing the stipulation withdrawing appeal signed by the attorneys for the parties on December 3, 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