

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

1640

CA 09-01132

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

TERRANCE D. GREENE AND SHARON GREENE,
PLAINTIFFS-RESPONDENTS,

V

ORDER

AVOCA CENTRAL SCHOOL DISTRICT,
DEFENDANT-APPELLANT.

COUGHLIN & GERHART, LLP, BINGHAMTON (KEITH A. O'HARA OF COUNSEL), FOR
DEFENDANT-APPELLANT.

LEARNED, REILLY, LEARNED & HUGHES, LLP, ELMIRA (SCOTT J. LEARNED OF
COUNSEL), FOR PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Steuben County
(Marianne Furfure, A.J.), entered February 20, 2009 in a personal
injury action. The order denied the motion of defendant for summary
judgment dismissing the complaint.

Now, upon the stipulation of discontinuance signed by the
attorneys for the parties on September 18, 2009 and filed in the
Steuben County Clerk's Office on September 22, 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