

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

1188

CA 11-01088

PRESENT: SCUDDER, P.J., SMITH, SCONIERS, GORSKI, AND MARTOCHE, JJ.

NICOLE M. KWAIZER, PLAINTIFF-RESPONDENT,

V

ORDER

JOY M. SITARSKI, CARRIE L. SITARSKI,
SENECA-BABCOCK COMMUNITY ASSOCIATION, INC.,
BUFFALO PANTHER CHEERLEADERS,
DEFENDANTS-APPELLANTS,
AND SENECA STREET UNITED METHODIST CHURCH,
DEFENDANT.

DAMON MOREY LLP, BUFFALO (AMY ARCHER FLAHERTY OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

FRIEDMAN & RANZENHOFER P.C., AKRON (MICHAEL H. RANZENHOFER OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered August 25, 2010 in a personal injury action. The order denied the motion of defendants Joy M. Sitarski, Carrie L. Sitarski, Seneca-Babcock Community Association, Inc., and Buffalo Panther Cheerleaders for summary judgment dismissing the complaint.

Now, upon reading and filing the stipulation withdrawing appeal signed by the attorneys for the parties on October 17 and 21, 2011,

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

Entered: November 10, 2011

Patricia L. Morgan
Clerk of the Court