

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

1339/13

CA 13-00479

PRESENT: SCUDDER, P.J., FAHEY, PERADOTTO, CARNI, AND VALENTINO, JJ.

ANNE FREEMAN, PLAINTIFF-APPELLANT,

V

ORDER

ANTHONY FREEMAN, DEFENDANT-RESPONDENT.

MICHAEL J. LUH, WILLIAMSVILLE, FOR PLAINTIFF-APPELLANT.

RUPP, BAASE, PFALZGRAF, CUNNINGHAM & COPPOLA LLC, BUFFALO (THOMAS P. CUNNINGHAM OF COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered November 29, 2012. The order granted the motion of defendant to dismiss the complaint and dismissed the complaint.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on July 25, 2013, and filed in the Erie County Clerk's Office on August 21, 2013,

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

Entered: September 26, 2014

Frances E. Cafarell
Clerk of the Court