

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

1165

CA 13-00731

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

TODD LAIRD, PLAINTIFF-RESPONDENT,

V

ORDER

PBS HOSPITALITY, INC., DEFENDANT-APPELLANT,
CHAMPION OF GENEVA, LLC AND SERENITY MANOR
APARTMENTS, DEFENDANTS-RESPONDENTS.

KNYCH & WHRITENOUR, LLC, SYRACUSE (BRENDAN J. REAGAN OF COUNSEL), FOR
DEFENDANT-APPELLANT.

CELLINO & BARNES, P.C., ROCHESTER (RICHARD P. AMICO OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

LECLAIR KORONA GIORDANO & COLE, LLP, ROCHESTER (LAURIE A. GIORDANO OF
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Ontario County (Craig J. Doran, A.J.), entered January 7, 2013. The order, among other things, denied in part the motion of defendant PBS Hospitality, Inc. for summary judgment dismissing the complaint and all cross claims against it.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on October 21, 2013,

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

Entered: November 8, 2013

Frances E. Cafarell
Clerk of the Court