

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

1369

CA 14-00461

PRESENT: SMITH, J.P., PERADOTTO, CARNI, VALENTINO, AND DEJOSEPH, JJ.

THIRTY ONE DEVELOPMENT, LLC,
PLAINTIFF-RESPONDENT,

V

ORDER

JEFFREY COHEN, INDIVIDUALLY, DEFENDANT,
THE GILL HOUSE AND CHARTER HOUSE INN, LLC,
DEFENDANT-APPELLANT.

HANCOCK ESTABROOK, LLP, SYRACUSE (JANET D. CALLAHAN OF COUNSEL), FOR
DEFENDANT-APPELLANT.

MCMAHON, KUBLICK & SMITH, P.C., SYRACUSE (JAN S. KUBLICK OF COUNSEL),
FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Jefferson County (Hugh A. Gilbert, J.), entered June 4, 2013. The order denied the motion of defendant The Gill House and Charter House Inn, LLC, for, inter alia, a declaration that a purchase and sale contract was null and void and granted the cross motion of plaintiff for summary judgment seeking specific performance.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on December 4 and 5, 2014,

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

Entered: January 2, 2015

Frances E. Cafarell
Clerk of the Court