

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

958

CA 17-00253

PRESENT: WHALEN, P.J., SMITH, CENTRA, PERADOTTO, AND CARNI, JJ.

THERESA HECKER, PLAINTIFF-RESPONDENT,

V

ORDER

EDEN CENTRAL SCHOOL DISTRICT, DEFENDANT-APPELLANT.

SUGARMAN LAW FIRM, LLP, SYRACUSE (DANIEL T. CAVARELLO OF COUNSEL), FOR DEFENDANT-APPELLANT.

GIBSON, MCASKILL & CROSBY, LLP, BUFFALO (CHARLES S. DESMOND, II, OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered November 3, 2016. The order, insofar as appealed from, denied in part the motion of defendant for summary judgment.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on June 22, 2017, and filed in the Erie County Clerk's Office on July 10, 2017,

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

Entered: September 29, 2017

Mark W. Bennett
Clerk of the Court