

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

142

CA 18-01251

PRESENT: SMITH, J.P., CENTRA, DEJOSEPH, CURRAN, AND WINSLOW, JJ.

ROSALIE SAWYER, PLAINTIFF-RESPONDENT,

V

ORDER

KALEIDA HEALTH, DOING BUSINESS AS BUFFALO
GENERAL HOSPITAL, DEFENDANT-RESPONDENT,
ABSOLUT CENTER FOR NURSING AND REHABILITATION
AT AURORA PARK, LLC, ABSOLUT FACILITIES
MANAGEMENT, LLC, AND ISRAEL SHERMAN,
DEFENDANTS-APPELLANTS.

KAUFMAN BORGEEEST & RYAN LLP, NEW YORK CITY (ELDAR MAYOUHAS OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

BROWN CHIARI LLP, BUFFALO (COLLEEN P. FAHEY OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered October 16, 2017. The order, insofar as appealed from, granted the motion of plaintiff for leave to renew/reargue and, upon renewal and reargument, granted a temporary stay of arbitration.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on December 21, 2018,

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

Entered: February 8, 2019

Mark W. Bennett
Clerk of the Court