

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

415

CA 18-01938

PRESENT: WHALEN, P.J., CENTRA, LINDLEY, TROUTMAN, AND WINSLOW, JJ.

UTICA MUTUAL INSURANCE COMPANY,
PLAINTIFF-APPELLANT,

V

ORDER

ABEILLE GENERAL INSURANCE COMPANY, NOW KNOWN
AS 21ST CENTURY NATIONAL INSURANCE CO., ET AL.,
DEFENDANTS-RESPONDENTS.

FELT EVANS, LLP, CLINTON (KENNETH L. BOBROW OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

SMITH, SOVIK, KENDRICK & SUGNET, P.C., SYRACUSE (KAREN G. FELTER OF
COUNSEL), FOR DEFENDANT-RESPONDENT FINANCIAL SECURITY ASSURANCE OF
IOWA INCORPORATED, NOW KNOWN AS ADVANTAGE WORKERS COMPENSATION
INSURANCE COMPANY.

FREEBORN & PETERS LLP, NEW YORK CITY (SEAN THOMAS KEELY OF COUNSEL),
FOR DEFENDANTS-RESPONDENTS ALFA MUTUAL INSURANCE COMPANY, ET AL.

O'MELVENY & MYERS LLP, NEW YORK CITY (TANCRED V. SCHIAVONI), FOR
DEFENDANTS-RESPONDENTS INSURANCE COMPANY OF NORTH AMERICA AND AETNA
INSURANCE COMPANY, NOW KNOWN AS TRAVELERS PROPERTY CASUALTY INSURANCE
COMPANY.

Appeal from an order and judgment (one paper) of the Supreme
Court, Oneida County (Patrick F. MacRae, J.), entered March 16, 2018.
The order and judgment, among other things, dismissed the complaint in
its entirety.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties in July 2019,

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

Entered: August 22, 2019

Mark W. Bennett
Clerk of the Court