

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

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CA 20-00730

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

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UTICA MUTUAL INSURANCE COMPANY,  
PLAINTIFF-APPELLANT,

V

ORDER

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

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

NORTON ROSE FULBRIGHT US LLP, NEW YORK CITY (JOHN F. FINNEGAN OF  
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

O'MELVENY & MYERS LLP, NEW YORK CITY (ANTON METLITSKY OF COUNSEL), FOR  
DEFENDANT-RESPONDENT CENTURY INDEMNITY COMPANY, AS SUCCESSOR TO CCI  
INSURANCE COMPANY, AS SUCCESSOR TO INSURANCE COMPANY OF NORTH AMERICA.

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Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered April 21, 2020. The order denied in part the motion of plaintiff seeking to compel disclosure.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on February 17, 2021,

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

Entered: April 30, 2021

Mark W. Bennett  
Clerk of the Court