

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

1096

CA 20-01511

PRESENT: PERADOTTO, J.P., CARNI, LINDLEY, CURRAN, AND BANNISTER, JJ.

KAYLEE MARSFELDER, PLAINTIFF,

V

ORDER

JOHN P. KARLQUIST, ET AL., DEFENDANTS.

JOHN P. KARLQUIST, ANNETT HOLDINGS, INC.,
INDIVIDUALLY AND DOING BUSINESS AS TMC
TRANSPORTATION, AND NATIONAL TRUCK
FUNDING, LLC, THIRD-PARTY
PLAINTIFFS-RESPONDENTS,

V

LAURIE MARSFELDER, THIRD-PARTY
DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

SCHNITTER CICCARELLI MILLS, PLLC, WILLIAMSVILLE (PATRICIA S.
CICCARELLI OF COUNSEL), FOR THIRD-PARTY DEFENDANT-APPELLANT.

BENNETT SCHECHTER ARCURI & WILL LLP, BUFFALO (PETER D. CANTONE OF
COUNSEL), FOR THIRD-PARTY PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Cattaraugus County
(Ronald D. Ploetz, A.J.), entered November 5, 2020. The order denied
the motion of third-party defendant for summary judgment dismissing
the third-party complaint.

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

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

Entered: December 23, 2021

Ann Dillon Flynn
Clerk of the Court