

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

318/20

CA 16-00523

PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, AND CURRAN, JJ.

WILL FOODS, LLC, PLAINTIFF-APPELLANT,

V

ORDER

WILL POULTRY CO., INC., NANCY CHRISTODOULIDES,
AS EXECUTRIX OF THE ESTATE OF DONALD E. WILL,
DECEASED, MARGARET GLEASON,
DEFENDANTS-RESPONDENTS,
ET AL., DEFENDANTS.
(APPEAL NO. 1.)

WENDY J. CHRISTOPHERSEN, BUFFALO, FOR PLAINTIFF-APPELLANT.

BARCLAY DAMON LLP, BUFFALO (JENNIFER G. FLANNERY OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS WILL POULTRY CO., INC. AND NANCY
CHRISTODOULIDES, AS EXECUTRIX OF THE ESTATE OF DONALD E. WILL,
DECEASED.

R. THOMAS BURGASSER, PLLC, NORTH TONAWANDA (R. THOMAS BURGASSER OF
COUNSEL), FOR DEFENDANT-RESPONDENT MARGARET GLEASON.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered December 10, 2015. The order denied plaintiff's motion for partial summary judgment and granted the cross motion of defendant Margaret Gleason for summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on February 4, 16 and 19, 2022,

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

Entered: March 18, 2022

Ann Dillon Flynn
Clerk of the Court