

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

246

CA 24-00566

PRESENT: WHALEN, P.J., CURRAN, OGDEN, AND GREENWOOD, JJ.

---

HSBC BANK USA, NATIONAL ASSOCIATION,  
AS TRUSTEE FOR DEUTSCHE ALT-B SECURITIES  
INC. MORTGAGE LOAN TRUST, MORTGAGE PASS-THROUGH  
CERTIFICATES SERIES 2006-AB4,  
PLAINTIFF-APPELLANT,

V

ORDER

DAVID CASS, ALSO KNOWN AS DAVID A. CASS,  
DEFENDANT-RESPONDENT,  
ET AL., DEFENDANTS.

---

HINSHAW & CULBERTSON LLP, NEW YORK CITY (EVAN N. SOYER OF COUNSEL),  
FOR PLAINTIFF-APPELLANT.

ARTHUR N. BAILEY & ASSOCIATES, JAMESTOWN (ARTHUR N. BAILEY OF  
COUNSEL), FOR DEFENDANT-RESPONDENT.

---

Appeal from an order of the Supreme Court, Chautauqua County  
(Grace Marie Hanlon, J.), entered October 11, 2023. The order granted  
the motion of defendant David Cass to vacate a default judgment.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorneys for the parties on February 17, 2025,

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

Entered: March 14, 2025

Ann Dillon Flynn  
Clerk of the Court