

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

790

CA 24-01300

PRESENT: CURRAN, J.P., BANNISTER, OGDEN, DELCONTE, AND HANNAH, JJ.

MICHELLE POLIZZI AND ANTHONY POLIZZI,
PLAINTIFFS-RESPONDENTS,

V

ORDER

EMANUEL GAMBACORTA, D.D.S., P.C., DOING BUSINESS AS
GAMBACORTA DENTAL ASSOCIATES, DEFENDANT,
AND MICHAEL LAMASTRA, D.D.S., DEFENDANT-APPELLANT.

GIBSON, MCASKILL & CROSBY, LLP, BUFFALO (AMANDA C. ROSSI OF COUNSEL),
FOR DEFENDANT-APPELLANT.

BROWN CHIARI LLP, BUFFALO (ANDREA N. CONJERTI OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered July 10, 2024. The order, insofar as appealed from, denied in part the motion of defendant Michael LaMastra, D.D.S., for summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on August 29, 2025,

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

Entered: November 21, 2025

Ann Dillon Flynn
Clerk of the Court