

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

987

CA 24-01798

PRESENT: WHALEN, P.J., LINDLEY, OGDEN, NOWAK, AND DELCONTE, JJ.

FREDERICK DRISCOLL, PLAINTIFF,

V

ORDER

NY DISTRICT ASSEMBLIES OF GOD, DEFENDANT.

NY DISTRICT ASSEMBLIES OF GOD, THIRD-PARTY
PLAINTIFF-RESPONDENT,

V

LAKES CHURCH, LAKES CHURCH-AUBURN, THIRD-PARTY
DEFENDANT-APPELLANT.

O'CONNOR, O'CONNOR, BRESEE & FIRST, P.C., ALBANY (CAROL E. CRUMMEY OF
COUNSEL), FOR THIRD-PARTY DEFENDANT-APPELLANT.

LAW OFFICES OF REINERS & ROSENBERG, NEW YORK CITY (SOPHIA M. CANDELA
OF COUNSEL), FOR DEFENDANT AND THIRD-PARTY PLAINTIFF-RESPONDENT.

STANLEY LAW OFFICES, SYRACUSE (ANTHONY R. MARTOCCIA OF COUNSEL), FOR
PLAINTIFF.

Appeal from an order of the Supreme Court, Onondaga County
(Gerard J. Neri, J.), entered August 22, 2024, in a personal injury
action. The order, insofar as appealed from, denied the motion of
third-party defendant to dismiss the third-party complaint.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on November 15, December 4 and
10, 2025,

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

Entered: February 11, 2026

Ann Dillon Flynn
Clerk of the Court