

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

**350**

**CA 25-00898**

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

---

SYCAMORE MAPLE FAMILY LIMITED PARTNERSHIP,  
PLAINTIFF-APPELLANT-RESPONDENT,

V

ORDER

JAMES F. JERGE, JR., DEFENDANT-RESPONDENT-APPELLANT.

---

HOOVER & DURLAND LLP, BUFFALO (SPENCER L. DURLAND OF COUNSEL), FOR  
PLAINTIFF-APPELLANT-RESPONDENT.

THE KNOER GROUP, PLLC, BUFFALO (COLIN M. KNOER OF COUNSEL), FOR  
DEFENDANT-RESPONDENT-APPELLANT.

---

Appeal and cross-appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered April 15, 2025. The order granted in part and denied in part plaintiff's motion for partial summary judgment and defendant's cross-motion for summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on April 2, 2026,

It is hereby ORDERED that said appeal and cross-appeal are unanimously dismissed without costs upon stipulation.

Entered: April 24, 2026

Ann Dillon Flynn  
Clerk of the Court