

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

499

CA 25-01347

PRESENT: BANNISTER, J.P., MONTOUR, GREENWOOD, DELCONTE, AND HANNAH, JJ.

JAMES KLOBUSNIK, PLAINTIFF-RESPONDENT,

V

ORDER

GREENPAC MILL, LLC, DEFENDANT-APPELLANT.

MULHOLLAND MINION DAVEY MCNIFF & BEYRER, WILLISTON PARK (MORGANN MCCARTHY OF COUNSEL), FOR DEFENDANT-APPELLANT AND THIRD-PARTY PLAINTIFF.

BROWN CHIARI LLP, BUFFALO (DAVID W. OLSON OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered June 19, 2025, in a personal injury action. The order appointed an arbitrator.

Now, upon reading and filing the stipulation of discontinuance by the attorneys for the parties on April 16, 2026,

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

Entered: June 26, 2026

Ann Dillon Flynn
Clerk of the Court