

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

649

CA 23-02023

PRESENT: LINDLEY, J.P., MONTOUR, GREENWOOD, NOWAK, AND KEANE, JJ.

BARBARA J. GAMIERRO, PLAINTIFF-APPELLANT,

V

ORDER

THE LUTHERAN CHURCH MISSOURI SYNOD,
DEFENDANT-RESPONDENT,
THE LUTHERAN CHURCH-MISSOURI SYNOD
EASTERN DISTRICT, ET AL., DEFENDANTS.
(APPEAL NO. 2.)

PHILLIPS & PAOLICELLI, LLP, NEW YORK CITY (VICTORIA PHILLIPS OF
COUNSEL), AND CONWAY & CONWAY, CHICAGO, ILLINOIS (MEGAN FAHEY MONTY,
ADMITTED PRO HAC VICE, OF COUNSEL), FOR PLAINTIFF-APPELLANT.

WALSH, ROBERTS & GRACE LLP, BUFFALO (MARK P. DELLA POSTA OF COUNSEL),
FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered October 27, 2023. The order granted the motion of defendant The Lutheran Church Missouri Synod for summary judgment dismissing the complaint and cross-claims against it.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on August 15, 2025,

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

Entered: October 3, 2025

Ann Dillon Flynn
Clerk of the Court