

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

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**CA 13-02044**

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, SCONIERS, AND DEJOSEPH, JJ.

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WELLS FARGO BANK, N.A., SUCCESSOR BY MERGER  
TO WACHOVIA BANK, N.A., PLAINTIFF-RESPONDENT,

V

ORDER

MARY L. GROSE, DEFENDANT-APPELLANT,  
FIRST AMERICAN INVESTMENT COMPANY, LLC, AS  
ASSIGNEE OF WACHOVIA NATIONAL BANK, ET AL.,  
DEFENDANTS.

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LEGAL SERVICES FOR THE ELDERLY, DISABLED OR DISADVANTAGED OF WESTERN  
NEW YORK, INC., BUFFALO (DANIEL WEBSTER OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

WOODS OVIATT GILMAN LLP, ROCHESTER (FRANCES M. KABAT OF COUNSEL), AND  
HOGAN LOVELLS US LLP, NEW YORK CITY, FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered December 14, 2012. The order denied the motion of defendant Mary L. Grose to dismiss the action.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on March 14 and May 29, 2014, and filed in the Orleans County Clerk's Office on June 6, 2014,

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

Entered: July 11, 2014

Frances E. Cafarell  
Clerk of the Court