

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

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CA 16-02019

PRESENT: CARNI, J.P., NEMOYER, CURRAN, AND TROUTMAN, JJ.

HARLEYSVILLE WORCESTER INSURANCE COMPANY, AS
ASSIGNEE/SUBROGEE OF FISHER DEVELOPMENT &
GENERAL CONTRACTING, INC., PLAINTIFF-APPELLANT,

V

ORDER

COUNTY OF ERIE, DEFENDANT-RESPONDENT.

REEVE BROWN PLLC, ROCHESTER (MARC S. BROWN OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

MICHAEL A. SIRAGUSA, COUNTY ATTORNEY, BUFFALO (MICHELLE M. PARKER OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered January 8, 2016. The order, among other things, granted defendant's motion for summary judgment and dismissed plaintiff's complaint.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on April 6, 2017,

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

Entered: June 9, 2017

Frances E. Cafarell
Clerk of the Court