

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

1207

CA 18-00412

PRESENT: WHALEN, P.J., SMITH, CENTRA, NEMOYER, AND CURRAN, JJ.

AMARJIT SINGH, PLAINTIFF-RESPONDENT-APPELLANT,

V

ORDER

STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY,
B&H RAIL CORP., FORMERLY KNOWN AS COHOCTON VALLEY
RAIL CORP. (A WHOLLY OWNED SUBSIDIARY OF LIVONIA,
AVON & LAKEVILLE RAILROAD CORP.),
DEFENDANTS-APPELLANTS-RESPONDENTS,
AND STEUBEN COUNTY, DEFENDANT-RESPONDENT.

HARRIS BEACH PLLC, BUFFALO (TRISTAN D. HUIJER OF COUNSEL), FOR
DEFENDANT-APPELLANT-RESPONDENT STEUBEN COUNTY INDUSTRIAL DEVELOPMENT
AGENCY.

HARTER SECREST & EMERY LLP, ROCHESTER (A. PAUL BRITTON OF COUNSEL),
FOR DEFENDANT-APPELLANT-RESPONDENT B&H RAIL CORP., FORMERLY KNOWN AS
COHOCTON VALLEY RAIL CORP. (A WHOLLY OWNED SUBSIDIARY OF LIVONIA,
AVON & LAKEVILLE RAILROAD CORP.).

LAW OFFICE OF RICHARD P. URDA, ITHACA (RICHARD P. URDA OF COUNSEL),
FOR PLAINTIFF-RESPONDENT-APPELLANT.

BARCLAY DAMON LLP, ELMIRA (JEREMY J. HOURIHAN OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeals and cross appeal from an order of the Supreme Court,
Steuben County (Joseph W. Latham, A.J.), entered June 28, 2017. The
order, among other things, granted the motion of defendant Steuben
County to dismiss the complaint against it and granted the cross
motion of plaintiff for summary judgment on the issue of liability
against the remaining defendants.

Now, upon the stipulation of discontinuance signed by the
attorneys for the parties on October 19, 24 and 29, and November 2,
2018, and filed in the Steuben County Clerk's Office on November 14,
2018,

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

Entered: February 1, 2019

Mark W. Bennett
Clerk of the Court