

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

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**CA 19-01347**

PRESENT: SMITH, J.P., LINDLEY, DEJOSEPH, NEMOYER, AND TROUTMAN, JJ.

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AYANNA HEMPHILL, PLAINTIFF-RESPONDENT,

V

ORDER

BUFFALO PUBLIC SCHOOLS AND CITY OF BUFFALO,  
DEFENDANTS-APPELLANTS.

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TIMOTHY A. BALL, CORPORATION COUNSEL, BUFFALO (CHRISTOPHER R. POOLE OF  
COUNSEL), FOR DEFENDANTS-APPELLANTS.

JOHN ELMORE, P.C., WILLIAMSVILLE (JOHN V. ELMORE OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered July 9, 2019. The order denied the motion of defendants for summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on November 25, 2019,

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

Entered: January 31, 2020

Mark W. Bennett  
Clerk of the Court