

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

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CA 20-01179

PRESENT: CARNI, J.P., LINDLEY, NEMOYER, CURRAN, AND BANNISTER, JJ.

JACQUELINE M. MINICH AND DAVID MINICH,
PLAINTIFFS-RESPONDENTS,

V

ORDER

JENNIFER L. ELLIOT, DEFENDANT,
THOMAS E. NOWAK AND COLLEEN M. NOWAK,
DEFENDANTS-APPELLANTS.

NASH CONNORS, P.C., BUFFALO (JONATHAN D. COX OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (MAX HUMANN OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Dennis Ward, J.), entered May 18, 2020. The order, insofar as appealed from, denied the motion of defendants Thomas E. Nowak and Colleen M. Nowak for summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on June 11, 2021,

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

Entered: January 28, 2022

Ann Dillon Flynn

Clerk of the Court