

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

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CA 21-00408

PRESENT: WHALEN, P.J., SMITH, PERADOTTO, AND BANNISTER, JJ.

SUERIA ASHKAR, PLAINTIFF-APPELLANT,

V

ORDER

ESTATE OF ROBERT NELSON, DECEASED,
ET AL., DEFENDANTS,
AND 700 N. SALINA STREET, LLC, DOING
BUSINESS AS ATTILIOS RISTORANTE,
DEFENDANT-RESPONDENT.

SIDNEY P. COMINSKY, LLC, SYRACUSE (SIDNEY P. COMINSKY OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

SMITH, SOVIK, KENDRICK & SUGNET, P.C., SYRACUSE (KEVIN E. HULSLANDER
OF COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Onondaga County
(Gerard J. Neri, J.), entered March 1, 2021. The order granted the
motion of defendant 700 N. Salina Street, LLC, doing business as
Attilios Ristorante for summary judgment.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on April 21, 2022,

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

Entered: July 1, 2022

Ann Dillon Flynn
Clerk of the Court