

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

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CA 21-00545

PRESENT: SMITH, J.P., CENTRA, LINDLEY, AND CURRAN, JJ.

Z.K., AN INFANT, BY HER PARENT AND NATURAL
GUARDIAN ANESTACIA W., PLAINTIFF-RESPONDENT,

V

ORDER

KATHERINE OVINGTON, DEFENDANT-APPELLANT.

THE LAW OFFICES OF DESTIN C. SANTACROSE, BUFFALO (MICHAEL P. SCHUG OF
COUNSEL), FOR DEFENDANT-APPELLANT.

THE BARNES FIRM, P.C., ROCHESTER (TIM R. HEDGES OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (William
K. Taylor, J.), entered March 19, 2021. The order denied defendant's
motion for summary judgment.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on June 16, 2022,

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

Entered: September 30, 2022

Ann Dillon Flynn
Clerk of the Court