

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

**496**

**CA 09-01346**

PRESENT: MARTOCHE, J.P., CENTRA, FAHEY, PERADOTTO, AND PINE, JJ.

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ONEIDA INDIAN NATION, A SOVEREIGN NATION,  
PLAINTIFF-RESPONDENT-APPELLANT,

V

ORDER

HUNT CONSTRUCTION GROUP, INC.,  
DEFENDANT-APPELLANT-RESPONDENT.

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HANCOCK & ESTABROOK, LLP, SYRACUSE (JOHN G. POWERS OF COUNSEL), FOR  
DEFENDANT-APPELLANT-RESPONDENT.

MACKENZIE HUGHES LLP, SYRACUSE (W. BRADLEY HUNT OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT-APPELLANT.

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Appeal and cross appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered March 13, 2009 in an action for breach of contract. The order granted in part the motion of plaintiff to dismiss certain amended counterclaims.

Now, upon reading and filing the stipulation of discontinuance of appeals signed by the attorneys for the parties on April 2, 2010,

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

Entered: April 30, 2010

Patricia L. Morgan  
Clerk of the Court