

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

127

CA 09-01415

PRESENT: SCUDDER, P.J., SMITH, FAHEY, AND LINDLEY, JJ.

ALLIED BUILDERS, INC., PLAINTIFF-APPELLANT,

V

ORDER

GREECE CENTRAL SCHOOL DISTRICT,
DEFENDANT-RESPONDENT.
(APPEAL NO. 1.)

DUKE, HOLZMAN, PHOTIADIS & GRESENS LLP, BUFFALO (JAMES W. GRESENS OF
COUNSEL), FOR PLAINTIFF-APPELLANT.

BOND, SCHOENECK & KING, PLLC, FAIRPORT (EDWARD P. HOURIHAN, JR., OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered September 25, 2008. The order, insofar as appealed from, denied in part the cross motion of plaintiff for summary judgment and determined that defendant is entitled to summary judgment dismissing certain causes of action.

Now, upon reading and filing the stipulation of discontinuance of appeal signed by the attorneys for the parties on February 26, 2010,

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

Entered: June 11, 2010

Patricia L. Morgan
Clerk of the Court