

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

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CA 09-01417

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

ALLIED BUILDERS, INC., PLAINTIFF-APPELLANT,

V

ORDER

GREECE CENTRAL SCHOOL DISTRICT,
DEFENDANT-RESPONDENT.
(APPEAL NO. 2.)

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 amended order of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered February 27, 2009. The amended order, insofar as appealed from, granted in part the motion of defendant for summary judgment dismissing certain causes of action and denied in part the cross motion of plaintiff for summary judgment.

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