

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

722

CA 09-02115

PRESENT: MARTOCHE, J.P., SMITH, CENTRA, SCONIERS, AND PINE, JJ.

MICHELLE T. STEGURA, PLAINTIFF-RESPONDENT,

V

ORDER

SCOTT M. FOX, DEFENDANT-APPELLANT.

LAW OFFICE OF DANIEL R. ARCHILLA, BUFFALO (DANIEL J. GUARASCI OF COUNSEL), FOR DEFENDANT-APPELLANT.

BERGEN & SCHIFFMACHER, LLP, BUFFALO (TODD M. SCHIFFMACHER OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered August 5, 2009 in a personal injury action. The order, among other things, granted plaintiff's motion for partial summary judgment.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on February 16, 2010 and filed in the Erie County Clerk's Office on March 3, 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