

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

984

OP 10-00167

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, SCONIERS, AND GORSKI, JJ.

IN THE MATTER OF INNTEL MANAGEMENT CORPORATION
AND DANIEL HOMIK, PETITIONERS,

V

ORDER

CITY OF CANANDAIGUA AND CITY OF CANANDAIGUA
CITY COUNCIL, RESPONDENTS.

HISCOCK & BARCLAY, LLP, BUFFALO (MARK R. MCNAMARA OF COUNSEL), FOR
PETITIONERS.

GILBERTI, STINZIANO, HEINTZ & SMITH P.C., SYRACUSE (KEVIN G. ROE OF
COUNSEL), FOR RESPONDENTS.

Proceeding pursuant to EDPL 207 (initiated in the Appellate
Division of the Supreme Court in the Fourth Judicial Department
pursuant to CPLR 506 [b]) to annul a determination of respondents to
acquire certain real property by eminent domain.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties and filed June 2, 2010,

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

Entered: October 1, 2010

Patricia L. Morgan
Clerk of the Court