

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

780

**CA 11-00224**

PRESENT: SMITH, J.P., CENTRA, FAHEY, GORSKI, AND MARTOCHE, JJ.

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YANNA DING, AS ADMINISTRATRIX OF THE ESTATE OF  
WEIXING CAI, DECEASED, PLAINTIFF-RESPONDENT,

V

ORDER

COSIMO ZAVAGLIA, EUGENE D. TAROLLI, RICHARD J.  
TAROLLI, REMINGTON GARDENS, DEFENDANTS-APPELLANTS,  
ET AL., DEFENDANT.

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LAW OFFICES OF THERESA J. PULEO, SYRACUSE (MICHAEL G. DONNELLY OF  
COUNSEL), FOR DEFENDANTS-APPELLANTS.

ROBERT E. LAHM, PLLC, SYRACUSE (ROBERT E. LAHM OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Onondaga County  
(Anthony J. Paris, J.), entered November 10, 2010. The order denied  
the motion of defendants Cosimo Zavaglia, Eugene D. Tarolli, Richard  
J. Tarolli and Remington Gardens for summary judgment dismissing the  
complaint.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorneys for the parties and filed on May 17, 2011,

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

Entered: June 10, 2011

Patricia L. Morgan  
Clerk of the Court