

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

969

CA 12-00420

PRESENT: SCUDDER, P.J., CENTRA, CARNI, SCONIERS, AND MARTOCHE, JJ.

QP, INC., PLAINTIFF-RESPONDENT,

V

ORDER

THE FLANDERS GROUP, INC., DEFENDANT-APPELLANT.

A decision order having been entered December 28, 2012, affirming an order of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), dated October 5, 2011, in a breach of contract action,

Now, upon the Court's own motion, with knowledge that a stipulation of discontinuance was filed by the parties in the Monroe County Clerk's Office on November 29, 2012, without notice to this Court,

It is hereby ORDERED that the decision order entered December 28, 2012, is vacated and the appeal is dismissed as moot.

Frances E. Cafarell

Entered: January 8, 2013

Clerk of the Court