

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

60

CA 13-01264

PRESENT: SCUDDER, P.J., FAHEY, PERADOTTO, CARNI, AND VALENTINO, JJ.

PAUL COLEMAN, PLAINTIFF-RESPONDENT,

V

ORDER

1093 GROUP, LLC, 10 ELLICOTT SQUARE COURT CORPORATION, DOING BUSINESS AS ELLICOTT DEVELOPMENT COMPANY, AND G.M. CRISALLI & ASSOCIATES, INC., DEFENDANTS-RESPONDENTS.

1093 GROUP, LLC, 10 ELLICOTT SQUARE COURT CORPORATION, DOING BUSINESS AS ELLICOTT DEVELOPMENT COMPANY, AND G.M. CRISALLI & ASSOCIATES, INC., THIRD-PARTY PLAINTIFFS-RESPONDENTS.

V

SOLVAY IRON WORKS, INC., THIRD-PARTY DEFENDANT-APPELLANT.

SMITH, SOVIK, KENDRICK & SUGNET, P.C., SYRACUSE (KRISTIN L. NORFLEET OF COUNSEL), FOR THIRD-PARTY DEFENDANT-APPELLANT.

MURAD AND MURAD, P.C., UTICA (FREDERICK W. MURAD OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

GOLDBERG SEGALLA, LLP, SYRACUSE (SANDRA J. SABOURIN OF COUNSEL), FOR DEFENDANTS-RESPONDENTS AND THIRD-PARTY PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegel, J.), entered September 18, 2012 in a personal injury action. The order, among other things, denied third-party defendant's cross motion for summary judgment dismissing the third-party complaint.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on October 1 and 9, 2013, and December 9, 2013, and filed in the Oneida County Clerk's Office on December 10, 2013,

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

Entered: February 7, 2014

Frances E. Cafarell
Clerk of the Court