

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

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CA 15-00084

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, DEJOSEPH, AND SCUDDER, JJ.

DONTIE S. MITCHELL, PLAINTIFF-APPELLANT,

V

ORDER

WOODS OVIATT GILMAN, LLP, AND WILLIAM G. BAUER,
DEFENDANTS-RESPONDENTS.
(APPEAL NO. 1.)

DONTIE S. MITCHELL, PLAINTIFF-APPELLANT PRO SE.

WOODS OVIATT GILMAN LLP, ROCHESTER (WILLIAM G. BAUER OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered June 5, 2014. The order, among other things, denied that part of plaintiff's motion seeking to strike defendants' answer.

Now, upon reading and filing the stipulation of discontinuance signed by the plaintiff on November 27, 2015 and by the attorney for the defendants on December 3, 2015,

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

Entered: February 5, 2016

Frances E. Cafarell
Clerk of the Court