

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

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CA 19-00520

PRESENT: WHALEN, P.J., SMITH, CARNI, NEMOYER, AND CURRAN, JJ.

BRIAN S. RACHUNA, PLAINTIFF-APPELLANT,

V

ORDER

SHAN HUANG AND LIFEN LI, DEFENDANTS-RESPONDENTS.

ANDREWS, BERNSTEIN, MARANTO & NICOTRA, PLLC, BUFFALO (THOMAS P. KOTRYS OF COUNSEL), FOR PLAINTIFF-APPELLANT.

GOLDBERG SEGALLA LLP, BUFFALO (CHRISTOPHER G. FLOREALE OF COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered January 7, 2019. The order denied the cross motion of plaintiff for leave to amend the summons and complaint.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on March 20, 2020,

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

Entered: April 24, 2020

Mark W. Bennett
Clerk of the Court