

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

1091

CA 20-00488

PRESENT: SMITH, J.P., PERADOTTO, CURRAN, BANNISTER, AND DEJOSEPH, JJ.

JOHN G. TEW, PLAINTIFF-RESPONDENT,

V

ORDER

GEORGE M. EMERLING, DEFENDANT-APPELLANT.

LAW OFFICES OF VICTOR M. WRIGHT, ORCHARD PARK (VICTOR M. WRIGHT OF COUNSEL), SARETSKY KATZ & DRANOFF, L.L.P., NEW YORK CITY, FOR DEFENDANT-APPELLANT.

CAMPBELL & ASSOCIATES, EDEN (R. COLIN CAMPBELL OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered March 13, 2020. The order, inter alia, granted the motion of plaintiff to compel defendant to comply with an agreement to arbitrate.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on August 27, 2020,

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

Entered: November 13, 2020

Mark W. Bennett
Clerk of the Court