

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

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CA 22-01272

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

CAROL MECCA, AS EXECUTOR OF THE ESTATE OF
ROSEMARY MECCA, DECEASED, PLAINTIFF-RESPONDENT,

V

ORDER

ALTERNATIVE LIVING SERVICES-NEW YORK, INC., AND
BROOKDALE WILLIAMSVILLE, DEFENDANTS-APPELLANTS.
(APPEAL NO. 2.)

ROACH, BROWN, MCCARTHY & GRUBER, P.C., BUFFALO (MEGHANN N. ROEHL OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

BROWN CHIARI, LLP, BUFFALO (JESSE A. DRUMM OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (John B. Licata, J.), entered August 8, 2022. The order denied the motion of defendants seeking leave to renew and reargue.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on April 24, 2023,

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

Entered: May 5, 2023

Ann Dillon Flynn
Clerk of the Court