

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

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CA 23-01414

PRESENT: WHALEN, P.J., LINDLEY, OGDEN, NOWAK, AND DELCONTE, JJ.

JESSICA TANTALO, AS ADMINISTRATOR OF
THE ESTATE OF PATRICK R. BAKER, DECEASED,
PLAINTIFF-RESPONDENT,

V

ORDER

CLIFTON SPRINGS HOSPITAL & CLINIC
FOUNDATION, INC., DOING BUSINESS AS CLIFTON
SPRINGS HOSPITAL & CLINIC, CLIFTON SPRINGS
SANITARIUM CO., DOING BUSINESS AS CLIFTON
SPRINGS HOSPITAL & CLINIC, ROCHESTER REGIONAL
HEALTH, DOING BUSINESS AS CLIFTON SPRINGS
HOSPITAL & CLINIC, DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.
(APPEAL NO. 2.)

OSBORN, REED & BURKE, LLP, ROCHESTER (MICHAEL C. PRETSCH OF COUNSEL),
FOR DEFENDANTS-APPELLANTS.

LACY KATZEN LLP, ROCHESTER (JACQUELINE M. THOMAS OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered July 14, 2023. The order, inter alia, denied that part of the motion of defendants-appellants seeking leave to renew their opposition to plaintiff's motion to strike the answer of defendants-appellants.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on March 6, 2024,

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

Entered: March 15, 2024

Ann Dillon Flynn
Clerk of the Court