

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

**343**

**CA 23-01132**

PRESENT: SMITH, J.P., BANNISTER, MONTOUR, GREENWOOD, AND NOWAK, JJ.

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UTICA MUTUAL INSURANCE COMPANY,  
PLAINTIFF-RESPONDENT,

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ORDER

ABEILLE GENERAL INSURANCE COMPANY, NOW KNOWN AS  
21<sup>ST</sup> CENTURY NATIONAL INSURANCE COMPANY, ET AL.,  
DEFENDANTS-APPELLANTS.

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NORTON ROSE FULBRIGHT US LLP, NEW YORK CITY (VICTORIA V. CORDER OF  
COUNSEL), FOR DEFENDANTS-APPELLANTS.

HUNTON ANDREWS KURTH LLP, WASHINGTON, D.C. (SYED S. AHMAD, ADMITTED  
PRO HAC VICE, OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Oneida County (Scott J. DelConte, J.), entered May 23, 2023. The order, inter alia, granted the cross-motion of plaintiff for summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on May 1, 2024,

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

Entered: May 10, 2024

Ann Dillon Flynn  
Clerk of the Court