

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

769

**CA 24-00284**

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

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LILY DALE ASSEMBLY, PLAINTIFF-APPELLANT,

V

ORDER

ROBERT REUTHER AND DANIELLE REUTHER,  
DEFENDANTS-RESPONDENTS.

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BARCLAY DAMON LLP, BUFFALO (MICHAEL E. FERDMAN OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

ROBERT REUTHER, DEFENDANT-RESPONDENT PRO SE.

DANIELLE REUTHER, DEFENDANT-RESPONDENT PRO SE.

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Appeal from an order of the Supreme Court, Chautauqua County  
(Grace Marie Hanlon, J.), entered November 15, 2023. The order denied  
the motion of plaintiff for summary judgment.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorney for plaintiff-appellant and by defendant-  
respondent Robert Reuther on December 3, 2024,

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

Entered: December 20, 2024

Ann Dillon Flynn  
Clerk of the Court