

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

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CA 15-00085

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, DEJOSEPH, AND SCUDDER, JJ.

DONTIE S. MITCHELL, PLAINTIFF-APPELLANT,

V

ORDER

WOODS OVIATT GILMAN, LLP, AND WILLIAM G. BAUER,
DEFENDANTS-RESPONDENTS.
(APPEAL NO. 2.)

DONTIE S. MITCHELL, PLAINTIFF-APPELLANT PRO SE.

WOODS OVIATT GILMAN LLP, ROCHESTER (WILLIAM G. BAUER OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered December 23, 2014. The order denied plaintiff's motion seeking, inter alia, to strike defendants' answer.

Now, upon reading and filing the stipulation of discontinuance signed by the plaintiff on November 27, 2015 and by the attorney for the defendants on December 3, 2015,

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

Entered: February 5, 2016

Frances E. Cafarell
Clerk of the Court