

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

1149

CA 15-00744

PRESENT: SMITH, J.P., PERADOTTO, CARNI, WHALEN, AND DEJOSEPH, JJ.

PETER R. KEPPLER, PLAINTIFF-APPELLANT,

V

ORDER

CHARLES E. KEPPLER, JR. AND CULLIGAN WATER
CONDITIONING OF AKRON, NEW YORK, INC., DOING
BUSINESS AS KEPPLER CULLIGAN WATER TREATMENT,
DEFENDANTS-RESPONDENTS.

JUSTIN S. WHITE, WILLIAMSVILLE, FOR PLAINTIFF-APPELLANT.

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

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered August 22, 2014. The order, among other things, dismissed plaintiff's amended complaint and granted the relief requested in defendants' counterclaim.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on April 28 and 29, 2016,

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

Entered: June 10, 2016

Frances E. Cafarell
Clerk of the Court