

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

**145**

**CA 16-01268**

PRESENT: CENTRA, J.P., PERADOTTO, CURRAN, TROUTMAN, AND SCUDDER, JJ.

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DAVID LOBDELL, PLAINTIFF-RESPONDENT,

V

ORDER

CHARLOTTE A. CAHILL, DEFENDANT-APPELLANT.

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SMITH, SOVIK, KENDRICK & SUGNET, P.C., SYRACUSE (KRISTIN L. NORFLEET OF COUNSEL), FOR DEFENDANT-APPELLANT.

STANLEY LAW OFFICES, LLP, SYRACUSE (ANTHONY MARTOCCIA OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered May 18, 2016. The order, among other things, denied defendant's motion for summary judgment.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on July 15 and 18, 2017, and filed in the Onondaga County Clerk's Office on July 19, 2017,

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

Clerk of the Court