

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

1005

CA 18-00307

PRESENT: WHALEN, P.J., SMITH, DEJOSEPH, NEMOYER, AND TROUTMAN, JJ.

SCOT LUTHER, PLAINTIFF-APPELLANT,

V

ORDER

PAYQUICKER, LLC, PAUL BELDHAM,
DEFENDANTS-RESPONDENTS,
ET AL., DEFENDANTS.

HARRIS BEACH PLLC, PITTSFORD (DOUGLAS A. FOSS OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

WOODS OVIATT GILMAN LLP, ROCHESTER (ROBERT D. HOOKS OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered August 11, 2017. The order, among other things, denied plaintiff's motion for partial summary judgment.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on May 7 and 8, 2018, and filed in the Monroe County Clerk's Office on May 8, 2018,

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

Entered: September 28, 2018

Mark W. Bennett
Clerk of the Court