

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

720

CA 17-00831

PRESENT: CARNI, J.P., LINDLEY, NEMOYER, CURRAN, AND WINSLOW, JJ.

DYLAN DEUSER, PLAINTIFF-APPELLANT,

V

ORDER

PRECISION CONSTRUCTION & DEVELOPMENT, INC.,
DEFENDANT-APPELLANT,
RYAN BRAUN, DEFENDANT-RESPONDENT,
ET AL., DEFENDANTS.
(APPEAL NO. 2.)

MARCUS & CINELLI, LLP, WILLIAMSVILLE (BRIAN L. CINELLI OF COUNSEL),
FOR PLAINTIFF-APPELLANT.

KENNEY SHELTON LIPTAK NOWAK, LLP, BUFFALO (MELISSA A. FOTI OF
COUNSEL), FOR DEFENDANT-APPELLANT.

BROWN & KELLY, LLP, BUFFALO (KEVIN D. WALSH OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeals from a judgment of the Supreme Court, Erie County (John L. Michalski, A.J.), entered March 8, 2017. The judgment dismissed the complaint of plaintiff as against defendant Ryan Braun.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on July 12 and 17, and August 20, 2018, and filed in the Erie County Clerk's Office on August 27, 2018,

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

Entered: February 1, 2019

Mark W. Bennett
Clerk of the Court