

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

**1107**

**CA 18-00430**

PRESENT: CENTRA, J.P., LINDLEY, DEJOSEPH, NEMOYER, AND WINSLOW, JJ.

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LINDA BROWN AND WAYNE BROWN,  
PLAINTIFFS-RESPONDENTS,

V

ORDER

T-L MARKETPLACE, LLC, DEFENDANT-APPELLANT.

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MAURO LILLING NAPARTY LLP, WOODBURY (ANTHONY F. DESTEFANO OF COUNSEL),  
FOR DEFENDANT-APPELLANT.

SUGARMAN LAW FIRM, LLP, SYRACUSE (BRITTANY L. HANNAH OF COUNSEL), FOR  
PLAINTIFFS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Onondaga County  
(Gregory R. Gilbert, J.), entered December 5, 2017. The order denied  
the motion of defendant for summary judgment dismissing the complaint.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorneys for the parties on January 16, 2019,

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

Entered: February 1, 2019

Mark W. Bennett  
Clerk of the Court