

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

20.1

CA 18-01827

PRESENT: WHALEN, P.J., CENTRA, LINDLEY, TROUTMAN, AND WINSLOW, JJ.

WILMINGTON TRUST, NATIONAL ASSOCIATION, AS
TRUSTEE FOR BENEFIT OF THE REGISTERED HOLDERS
OF JPMBB COMMERCIAL MORTGAGE SECURITIES TRUST,
2014-C21, COMMERCIAL MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2014-C21,
PLAINTIFF-APPELLANT,

V

ORDER

LOCKPORT PROFESSIONAL PARK REALTY LLC, BENTON B.
KENDIG, III, GEORGE DAGRACA, JAMES MARTIN,
DEFENDANTS-RESPONDENTS,
ET AL., DEFENDANTS.

THOMPSON & KNIGHT LLP, NEW YORK CITY (VIVIAN M. ARIAS OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

WOODS OVIATT GILMAN LLP, ROCHESTER (WARREN B. ROSENBAUM OF COUNSEL),
FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Niagara County (Henry J. Nowak, J.), entered August 27, 2018. The order, among other things, denied in part plaintiff's motion for summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on January 3 and 26, 2020,

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

Entered: February 7, 2020

Mark W. Bennett
Clerk of the Court