

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

445

CA 20-00885

PRESENT: SMITH, J.P., PERADOTTO, NEMOYER, CURRAN, AND DEJOSEPH, JJ.

CRISTINA TANNER, INDIVIDUALLY AND AS LEGAL
GUARDIAN OF JASON TANNER, AND AS ASSIGNEE
OF RISEN FOODS, LLC, PLAINTIFF-RESPONDENT,

V

ORDER

HEFFERNAN INSURANCE BROKERS, INC., DANA
SCHILLER, DEFENDANTS-APPELLANTS,
ET AL., DEFENDANT.

LEWIS BRISBOIS BISGAARD & SMITH LLP, NEW YORK CITY (PETER T. SHAPIRO
OF COUNSEL), FOR DEFENDANTS-APPELLANTS.

BARTH SULLIVAN BEHR, LLP, BUFFALO (JOHN R. CONDREN OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered January 24, 2020. The order denied the motion of defendants Heffernan Insurance Brokers, Inc., and Dana Schiller to dismiss the second amended complaint against them.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on February 26, 2021,

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

Entered: April 30, 2021

Mark W. Bennett
Clerk of the Court