

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

793

CA 22-00067

PRESENT: LINDLEY, J.P., NEMOYER, WINSLOW, BANNISTER, AND MONTOUR, JJ.

TODD HOPKINS, PLAINTIFF-RESPONDENT,

V

ORDER

ROBERT C. MORREALE AND 2121 LOCKPORT ROAD, LLC,
DEFENDANTS-APPELLANTS.

GERBER CIANO KELLY BRADY, LLP, BUFFALO (ARLOW LINTON OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

HUTCHESON, AFFRONTI & DEISINGER, P.C., NIAGARA FALLS (MARK R. AFFRONTI
OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Niagara County
(Richard C. Kloch, Sr., A.J.), entered October 15, 2021. The order,
insofar as appealed from, denied the motion of defendants for summary
judgment.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on October 5, 2022,

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

Entered: November 10, 2022

Ann Dillon Flynn

Clerk of the Court