

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

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CA 12-00966

PRESENT: SMITH, J.P., PERADOTTO, CARNI, VALENTINO, AND MARTOCHE, JJ.

TODD R. GREENERT, PLAINTIFF-RESPONDENT,

V

ORDER

SALES ASSOCIATES OF WNY, LLC, THE BARDEN &
ROBESON CORP., DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.
(APPEAL NO. 2.)

KENNEY SHELTON LIPTAK NOWAK LLP, BUFFALO (MELISSA A. FOTI OF COUNSEL),
FOR DEFENDANT-APPELLANT THE BARDEN & ROBESON CORP.

AUGELLO & MATTELIANO, LLP, BUFFALO (JOSEPH A. MATTELIANO OF COUNSEL),
FOR DEFENDANT-APPELLANT SALES ASSOCIATES OF WNY, LLC.

CHACCHIA & FLEMING, LLP, HAMBURG (DANIEL J. CHACCHIA OF COUNSEL),
FOR PLAINTIFF-RESPONDENT.

Appeals from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered February 16, 2012. The order granted plaintiff's motion for partial summary judgment on the issue of liability against defendants Sales Associates of WNY, LLC and The Barden & Robeson Corp.

Now, upon reading and filing the stipulation discontinuing appeal signed by the attorneys for the parties on October 16, 2013,

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

All concur except MARTOCHE, J., who is not participating.

Entered: November 8, 2013

Frances E. Cafarell
Clerk of the Court