

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

1081

CA 13-00693

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

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THE ONEIDA INDIAN NATION, A SOVEREIGN NATION,  
PLAINTIFF-APPELLANT,

V

ORDER

HUNT CONSTRUCTION GROUP, INC.,  
DEFENDANT-RESPONDENT.

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MACKENZIE HUGHES LLP, SYRACUSE (W. BRADLEY HUNT OF COUNSEL), AND  
WILLIAMS & CONNOLLY LLP, WASHINGTON, D.C. FOR PLAINTIFF-APPELLANT.

HANCOCK ESTABROOK LLP, SYRACUSE (JOHN G. POWERS OF COUNSEL), FOR  
DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Onondaga County  
(Deborah H. Karalunas, J.), entered January 8, 2013. The order denied  
the motion of plaintiff to dismiss the second through sixth  
counterclaims of defendant.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorneys for the parties on September 16 and 17, 2013,

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

Entered: November 8, 2013

Frances E. Cafarell  
Clerk of the Court