

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

**964**

**CA 13-01921**

PRESENT: SMITH, J.P., FAHEY, LINDLEY, VALENTINO, AND DEJOSEPH, JJ.

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SUSAN L. BOTTICELLI, PLAINTIFF-APPELLANT,

V

ORDER

GARY A. BOTTICELLI, DEFENDANT-RESPONDENT.

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LABIN & BUFFOMANTE, WILLIAMSVILLE (CLAYTON J. LENHARDT OF COUNSEL),  
FOR PLAINTIFF-APPELLANT.

ROBERT S. STEPHENSON, BUFFALO, FOR DEFENDANT-RESPONDENT.

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Appeal from a judgment of the Supreme Court, Erie County  
(Frederick J. Marshall, J.), entered January 18, 2013 in a divorce  
action. The judgment, inter alia, equitably distributed the assets of  
the parties.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorneys for the parties and filed on September 10,  
2014,

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

Entered: September 26, 2014

Frances E. Cafarell  
Clerk of the Court