

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

**1334**

**CA 15-00289**

PRESENT: SCUDDER, P.J., SMITH, VALENTINO, WHALEN, AND DEJOSEPH, JJ.

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JUSTIN COFFEE, PLAINTIFF-RESPONDENT,

V

ORDER

TANK INDUSTRY CONSULTANTS, INC.,  
DEFENDANT-APPELLANT,  
AND WORLDWIDE INDUSTRIES CORP., DEFENDANT.

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WORLDWIDE INDUSTRIES CORP., THIRD-PARTY  
PLAINTIFF,

V

CDK INDUSTRIES, INC., THIRD-PARTY DEFENDANT.  
(APPEAL NO. 1.)

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SUGARMAN LAW FIRM, LLP, SYRACUSE (STEPHEN A. DAVOLI OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

STANLEY LAW OFFICES, LLP, SYRACUSE (ROBERT A. QUATTROCCI OF COUNSEL),  
FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Onondaga County  
(Donald A. Greenwood, J.), entered May 23, 2014. The order denied the  
motion of defendant Tank Industry Consultants, Inc. for summary  
judgment.

Now, upon reading and filing the stipulation withdrawing appeal  
signed by the attorneys for the parties on September 28, 2015,

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

Entered: December 23, 2015

Frances E. Cafarell  
Clerk of the Court