

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

967

CA 15-01035

PRESENT: SMITH, J.P., CARNI, LINDLEY, DEJOSEPH, AND SCUDDER, JJ.

CATHERINE M. HEARY, PLAINTIFF-APPELLANT,

V

ORDER

DENISE HIBIT AND ERIK M. HIBIT,
DEFENDANTS-RESPONDENTS.

GROSS, SHUMAN, BRIZDLE & GILFILLAN, P.C., BUFFALO (SARAH P. RERA OF
COUNSEL), FOR PLAINTIFF-APPELLANT.

BOUVIER PARTNERSHIP, LLP, BUFFALO (NORMAN E.S. GREENE OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered May 26, 2015. The order granted the request of defendants for collateral source reductions of a jury verdict.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on July 29, 2016,

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

Entered: November 10, 2016

Frances E. Cafarell
Clerk of the Court