

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

988

CA 16-00362

PRESENT: WHALEN, P.J., PERADOTTO, NEMOYER, CURRAN, AND TROUTMAN, JJ.

STEPHEN P. FRANCIS, DOING BUSINESS AS EXTREME
REALITY BUILDERS, PLAINTIFF-RESPONDENT,

V

ORDER

CHRISTOPHER SZCZEPANSKI,
ET AL., DEFENDANTS,
AND NBT BANK, DEFENDANT-APPELLANT.

HINMAN, HOWARD & KATTELL, LLP, BINGHAMTON (DANIEL R. NORTON OF
COUNSEL), FOR DEFENDANT-APPELLANT.

FRYE & CARBONE LLC, UTICA (RICHARD A. FRYE OF COUNSEL), FOR PLAINTIFF-
RESPONDENT.

TOD M. LASCURETTES, UTICA, FOR DEFENDANT CHRISTOPHER SZCZEPANSKI.

Appeal from an order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered June 3, 2015. The order, among other things, denied in part the motion of defendant NBT Bank to dismiss the complaint against it.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on August 8, 2016, and filed in the Oneida County Clerk's Office on September 20, 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