

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

593

CA 16-01777

PRESENT: CENTRA, J.P., LINDLEY, DEJOSEPH, NEMOYER, AND SCUDDER, JJ.

---

JUSTIN COFFEE, PLAINTIFF-APPELLANT,

V

ORDER

TANK INDUSTRY CONSULTANTS, INC., AND WORLDWIDE  
INDUSTRIES CORP., DEFENDANTS.

-----  
WORLDWIDE INDUSTRIES CORP., THIRD-PARTY  
PLAINTIFF,

V

CDK INDUSTRIES, INC., THIRD-PARTY  
DEFENDANT-RESPONDENT.

---

STANLEY LAW OFFICES, SYRACUSE (STEPHANIE VISCELLI OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

SMITH, SOVIK, KENDRICK & SUGNET, P.C., SYRACUSE (BRADY O'MALLEY OF  
COUNSEL), FOR THIRD-PARTY DEFENDANT-RESPONDENT.

---

Appeal from an order of the Supreme Court, Onondaga County  
(Donald A. Greenwood, J.), entered April 26, 2016. The order denied  
the motion of plaintiff to compel disclosure and granted the cross  
motion of third-party defendant for a protective order.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorneys for the parties,

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

Entered: May 5, 2017

Frances E. Cafarell  
Clerk of the Court