

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

**973**

**CA 16-02228**

PRESENT: SMITH, J.P., DEJOSEPH, CURRAN, TROUTMAN, AND WINSLOW, JJ.

---

TIMOTHY KOPASZ, PLAINTIFF-RESPONDENT,

V

ORDER

COUNTY OF ERIE, ERIE COUNTY STADIUM CORPORATION,  
BUFFALO BILLS, INC., AND LPCIMINELLI, INC.,  
DEFENDANTS-APPELLANTS.  
(APPEAL NO. 1.)

---

COSTELLO, COONEY & FEARON, PLLC, CAMILLUS (MEGAN E. GRIMSLEY OF  
COUNSEL), FOR DEFENDANTS-APPELLANTS.

DOLCE PANEPINTO, P.C., BUFFALO (ANNE M. WHEELER OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

---

Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, Jr., J.), entered March 18, 2016. The order granted the motion of plaintiff for partial summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on August 15, 2017,

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

Entered: September 29, 2017

Mark W. Bennett  
Clerk of the Court