

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

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CA 17-01757

PRESENT: CENTRA, J.P., CARNI, LINDLEY, AND CURRAN, JJ.

IN THE MATTER OF PAUL E. SUCHER,
PETITIONER-RESPONDENT,

V

ORDER

TOWN OF ONTARIO, ONTARIO TOWN BOARD, ROBERT J. KELSCH, FORMER SUPERVISOR OF TOWN OF ONTARIO, JOHN J. SMITH, SUPERVISOR OF TOWN OF ONTARIO, MICHAEL MELINO, ONTARIO TOWN COUNCILMAN, JASON RUFFELL, ONTARIO TOWN COUNCILMAN, FRANK ROBUSTO, ONTARIO TOWN COUNCILMAN, AND JOSEPH CATALANO, ONTARIO TOWN COUNCILMAN, RESPONDENTS-APPELLANTS.

KAMAN, BERLOVE, MARAFIOTI, JACOBSTEIN & GOLDMAN, LLP, ROCHESTER (RICHARD T. WILLIAMS, II, OF COUNSEL), FOR RESPONDENTS-APPELLANTS.

JEFFREY WICKS, PLLC, ROCHESTER (CHARLES D. STEINMAN OF COUNSEL), FOR PETITIONER-RESPONDENT.

Appeal from a judgment (denominated order) of the Supreme Court, Wayne County (John B. Nesbitt, A.J.), entered December 12, 2016 in a proceeding pursuant to CPLR article 78. The judgment granted the amended petition in part.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on February 13, 2018, and filed in the Wayne County Clerk's Office on February 23, 2018,

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

Entered: April 27, 2018

Mark W. Bennett
Clerk of the Court