

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

136/17

CA 16-00661

PRESENT: CENTRA, J.P., PERADOTTO, CURRAN, TROUTMAN, AND SCUDDER, JJ.

IN THE MATTER OF RICCELLI ENTERPRISES, INC.,
ET AL., PETITIONERS-PLAINTIFFS-RESPONDENTS,
3679 RIVER ROAD, INC., ET AL.,
INTERVENORS-PETITIONERS-PLAINTIFFS-RESPONDENTS,

V

ORDER

STATE OF NEW YORK WORKERS' COMPENSATION BOARD,
ET AL., RESPONDENTS-DEFENDANTS-APPELLANTS.
(APPEAL NO. 2.)

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (JEFFREY W. LANG OF COUNSEL),
FOR RESPONDENTS-DEFENDANTS-APPELLANTS.

BARCLAY DAMON LLP, SYRACUSE (PATRICIA S. NAUGHTON OF COUNSEL), FOR
PETITIONERS-PLAINTIFFS-RESPONDENTS AND
INTERVENORS-PETITIONERS-PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Onondaga County
(Donald F. Cerio, Jr., A.J.), entered April 4, 2016. The order denied
the motion of respondents-defendants for leave to renew.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on January 15, 2019,

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

All concur except SCUDDER, J., who is not participating.

Entered: February 8, 2019

Mark W. Bennett
Clerk of the Court