

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

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**CA 18-01391**

PRESENT: CENTRA, J.P., CARNI, LINDLEY, NEMOYER, AND TROUTMAN, JJ.

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IN THE MATTER OF THE BUFFALO NEWS, INC.,  
PETITIONER-APPELLANT,  
AND E.W. SCRIPPS COMPANY, INTERVENOR-APPELLANT,

V

ORDER

BUFFALO POLICE DEPARTMENT, DANIEL DERENDA, IN  
HIS OFFICIAL CAPACITY AS BUFFALO POLICE DEPARTMENT  
COMMISSIONER AND AS FOIL RESPONSE OFFICER OF  
BUFFALO POLICE DEPARTMENT, TIMOTHY A. BALL,  
CORPORATION COUNSEL FOR CITY OF BUFFALO AND IN HIS  
OFFICIAL CAPACITY AS FOIL APPEAL OFFICER FOR  
BUFFALO POLICE DEPARTMENT AND CITY OF BUFFALO,  
RESPONDENTS-RESPONDENTS.

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BARCLAY DAMON LLP, BUFFALO (KARIM A. ABDULLA OF COUNSEL), FOR  
PETITIONER-APPELLANT AND INTERVENOR-APPELLANT.

TIMOTHY A. BALL, CORPORATION COUNSEL, BUFFALO (MAEVE E. HUGGINS OF  
COUNSEL), FOR RESPONDENTS-RESPONDENTS.

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Appeal from a judgment of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered February 16, 2018. The judgment, among other things, denied the release of certain video recordings pursuant to New York's Freedom of Information Law.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on February 21, 2019,

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

Entered: March 15, 2019

Mark W. Bennett  
Clerk of the Court