

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

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CA 18-02364

PRESENT: WHALEN, P.J., CARNI, BANNISTER, AND DEJOSEPH, JJ.

IN THE MATTER OF CONESUS LAKE NURSING HOME, LLC,
PETITIONER-APPELLANT,

V

ORDER

NEW YORK STATE DEPARTMENT OF HEALTH AND HOWARD A.
ZUCKER, AS NEW YORK STATE COMMISSIONER OF HEALTH,
RESPONDENTS-RESPONDENTS.

PULLANO & FARROW, ROCHESTER (MICHAEL P. SCOTT-KRISTANSEN OF COUNSEL),
FOR PETITIONER-APPELLANT.

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (PATRICK A. WOODS OF COUNSEL),
FOR RESPONDENTS-RESPONDENTS.

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Livingston County (Dennis S. Cohen, A.J.), entered November 16, 2018 in a CPLR article 78 proceeding. The judgment dismissed the petition.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on November 12 and 13, 2019,

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

Entered: January 31, 2020

Mark W. Bennett
Clerk of the Court