

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

1272

CA 19-01353

PRESENT: SMITH, J.P., NEMOYER, TROUTMAN, AND BANNISTER, JJ.

BRUNILDA LOPEZ, AS PARENT AND NATURAL GUARDIAN
OF WILSON MORALES, AN INFANT, AND WILSON MORALES,
PLAINTIFFS-RESPONDENTS,

V

ORDER

KARL SCHULTZ, IN HIS INDIVIDUAL AND OFFICIAL
CAPACITY, JASON WHITENIGHT, IN HIS INDIVIDUAL
AND OFFICIAL CAPACITY, CITY OF BUFFALO AND
BUFFALO POLICE DEPARTMENT, DEFENDANTS-APPELLANTS.

TIMOTHY A. BALL, CORPORATION COUNSEL, BUFFALO (DAVID M. LEE OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

DOLCE PANEPINTO, P.C., BUFFALO (JONATHAN M. GORSKI OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered January 24, 2019. The order, among other things, denied defendants' motion for summary judgment dismissing plaintiffs' complaints.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on March 2, 2020,

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

Entered: March 20, 2020

Mark W. Bennett
Clerk of the Court