

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

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CA 20-01000

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, TROUTMAN, AND DEJOSEPH, JJ.

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TINA CARSWELL, PLAINTIFF-APPELLANT,

V

ORDER

THEODORE R. TRAVIS AND LAWMAN HEATING AND  
COOLING, INC., DEFENDANTS-RESPONDENTS.

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WILLIAM MATTAR, P.C., ROCHESTER (MATTHEW J. KAISER OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

BURKE, SCOLAMIERO & HURD LLP, ALBANY (STEVEN V. DEBRACCIO OF COUNSEL),  
FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered July 28, 2020. The order, insofar as appealed from, granted in part the motion of defendant to toll the accrual of statutory interest.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on May 7, 2021,

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

Entered: June 11, 2021

Mark W. Bennett  
Clerk of the Court