

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

**774**

**CA 21-00297**

PRESENT: PERADOTTO, J.P., CARNI, LINDLEY, WINSLOW, AND BANNISTER, JJ.

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LILY CACHE CREEK BOLINGBROOK IL, LLC,  
PLAINTIFF-APPELLANT,

V

ORDER

JABARIA JODI, INC., AND PRADEEP PATEL,  
DEFENDANTS-RESPONDENTS.

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BOND, SCHOENECK & KING, PLLC, ROCHESTER (CURTIS A. JOHNSON OF  
COUNSEL), FOR PLAINTIFF-APPELLANT.

R. BRIAN GOEWY, ROCHESTER, FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Monroe County (James J. Piampiano, J.), entered December 29, 2020. The order granted defendants' motion to dismiss the complaint.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on June 2, 2021,

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

Entered: October 1, 2021

Ann Dillon Flynn  
Clerk of the Court