

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

829

CA 20-01196

PRESENT: SMITH, J.P., CARNI, NEMOYER, TROUTMAN, AND WINSLOW, JJ.

MICHELLE LARCA, PLAINTIFF-RESPONDENT,

V

ORDER

BJ'S WHOLESALE CLUB, DEFENDANT-APPELLANT.

GOLDBERG SEGALLA LLP, SYRACUSE (AARON M. SCHIFFRIK OF COUNSEL), FOR DEFENDANT-APPELLANT.

LAW OFFICES OF C. SAMUEL BEARDSLEY, NEDROW (C. SAMUEL BEARDSLEY OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Onondaga County (Joseph E. Lamendola, J.), entered September 4, 2020. The order, among other things, denied defendant's motion for summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on June 25, 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