

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

1188/19

CA 19-00726

PRESENT: WHALEN, P.J., SMITH, PERADOTTO, AND, NEMOYER, JJ.

CRAIG L. WILSTON, JR., PLAINTIFF,

V

ORDER

FIELD ASSET SERVICES, LLC, DOING BUSINESS
AS ASSURANT FIELD ASSET SERVICES, ET AL.,
DEFENDANTS,
HSBC BANK USA, N.A., AND HSBC MORTGAGE
CORPORATION (USA), DEFENDANTS-RESPONDENTS.

FIELD ASSET SERVICES, LLC, DOING BUSINESS AS
ASSURANT FIELD ASSET SERVICES, THIRD-PARTY
PLAINTIFF-RESPONDENT,

V

KENNEDY PROPERTY MANAGEMENT, THIRD-PARTY
DEFENDANT,
AND THE HANOVER INSURANCE COMPANY, THIRD-PARTY
DEFENDANT-APPELLANT.

LEWIS BRISBOIS BISGAARD & SMITH LLP, NEW YORK CITY (PETER T. SHAPIRO
OF COUNSEL), FOR THIRD-PARTY DEFENDANT-APPELLANT.

BRAFF, HARRIS, SUKONECK & MALOOF, NEW JERSEY (KEITH HARRIS OF
COUNSEL), FOR THIRD-PARTY PLAINTIFF-RESPONDENT.

KENNEY SHELTON LIPTAK NOWAK LLP, BUFFALO (AARON ADOFF OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Tracey A.
Bannister, J.), entered September 24, 2018. The order denied the
motion of third-party defendant The Hanover Insurance Company for
summary judgment dismissing the third-party complaint against it.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on July 24, 2020,

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

Entered: December 23, 2022

Ann Dillon Flynn
Clerk of the Court