

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

1225

CA 18-00773

PRESENT: CENTRA, J.P., PERADOTTO, CARNI, LINDLEY, AND NEMOYER, JJ.

RICHARD CETTELL AND JOANN CETTELL,
PLAINTIFFS-RESPONDENTS,

V

ORDER

NATIONAL FUEL GAS SUPPLY CORPORATION,
DEFENDANT-APPELLANT.

GOLDBERG SEGALLA LLP, SYRACUSE (MICHAEL RUBIN OF COUNSEL), FOR
DEFENDANT-APPELLANT.

DOLCE PANEPINTO, P.C., BUFFALO (MARC C. PANEPINTO OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, Jr., J.), entered February 9, 2018. The order, among other things, granted plaintiffs' motion for summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on May 8, 2018,

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

Entered: November 9, 2018

Mark W. Bennett
Clerk of the Court