

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

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CA 19-02020

PRESENT: LINDLEY, J.P., CURRAN, TROUTMAN, AND BANNISTER, JJ.

RONALD KENNICK, JR. AND ANNEMARIE KENNICK,
PLAINTIFFS-RESPONDENTS-APPELLANTS,

V

ORDER

PATRICK DEVELOPMENT, INC., DEFENDANT,
AND CANNON DESIGN, INC.,
DEFENDANT-APPELLANT-RESPONDENT.

RUPP BAASE PFALZGRAF CUNNINGHAM LLC, BUFFALO (JEFFREY F. BAASE OF
COUNSEL), FOR DEFENDANT-APPELLANT-RESPONDENT.

LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (JOHN A. COLLINS OF COUNSEL),
FOR PLAINTIFFS-RESPONDENTS-APPELLANTS.

Appeal and cross appeal from an order of the Supreme Court, Erie County (Mark A. Montour, J.), entered April 22, 2019. The order, among other things, denied in part the motion of defendant Cannon Design, Inc. for summary judgment and denied plaintiffs' cross motion for partial summary judgment.

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

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

Entered: June 12, 2020

Mark W. Bennett
Clerk of the Court