

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

941

CA 23-01129

PRESENT: SMITH, J.P., BANNISTER, MONTOUR, AND NOWAK, JJ.

COLE R. SMITH, INDIVIDUALLY AND AS ADMINISTRATOR
OF THE ESTATE OF ROBERT D. SMITH, DECEASED,
PLAINTIFF-RESPONDENT,

V

ORDER

CROUSE HEALTH HOSPITAL, INC., VANESSA GOYES
RUIZ, M.D., KAITLYN C. LACHANCE, R.N.,
DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.

GALE GALE & HUNT, LLC, FAYETTEVILLE (ANDREW R. BORELLI OF COUNSEL),
FOR DEFENDANTS-APPELLANTS.

PORTER LAW GROUP, SYRACUSE (JEFFREY M. NARUS OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Onondaga County
(Deborah H. Karalunas, J.), entered June 26, 2023. The order, among
other things, denied the motion of defendants Crouse Health Hospital,
Inc., Vanessa Goyes Ruiz, M.D., and Kaitlyn C. LaChance, R.N. seeking,
inter alia, to quash plaintiff's subpoena for depositions.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on December 7, 2023,

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

Entered: December 22, 2023

Ann Dillon Flynn
Clerk of the Court