

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

1207

CA 09-00372

PRESENT: HURLBUTT, J.P., MARTOCHE, CENTRA, GREEN, AND GORSKI, JJ.

IN THE MATTER OF SUSAN SCHEFF,
PETITIONER-RESPONDENT,

V

ORDER

JEFFREY TAUB, RESPONDENT-APPELLANT.

WILLIAM R. HITES, BUFFALO, FOR RESPONDENT-APPELLANT.

LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (PATRICK C. O'REILLY OF
COUNSEL), FOR PETITIONER-RESPONDENT.

JAMES KREUZER, LAW GUARDIAN, BUFFALO, FOR HAILEY M.T.

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered May 23, 2008. The order, inter alia, denied the motion of respondent to vacate certain default orders.

Now, upon reading and filing the stipulation withdrawing appeal signed by the attorneys for the parties and by the Law Guardian on September 11, 2009,

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

Entered: October 2, 2009

Patricia L. Morgan
Clerk of the Court