

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

1681.2

CA 08-02321

PRESENT: CENTRA, J.P., PERADOTTO, CARNI, PINE, AND GORSKI, JJ.

NICOLE S. MAURER, PLAINTIFF-RESPONDENT,

V

ORDER

RAYMOND E. KISER, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

RIVKIN RADLER LLP, UNIONDALE (MELISSA M. MURPHY OF COUNSEL), FOR
DEFENDANT-APPELLANT.

PAUL WILLIAM BELTZ, P.C., BUFFALO (DEBRA A. NORTON OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Joseph G. Makowski, J.), entered April 10, 2008 in a personal injury action. The order, insofar as appealed from, denied the motion of defendant for a set-off for future Social Security benefits for plaintiff.

Now, upon reading and filing the stipulation discontinuing appeals signed by the attorneys for the parties on January 5, 2010,

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

Entered: February 11, 2010

Patricia L. Morgan
Clerk of the Court