

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

810

CA 10-00124

PRESENT: SCUDDER, P.J., MARTOCHE, SCONIERS, AND GREEN, JJ.

KENNETH L. HARRIS, PLAINTIFF-RESPONDENT,

V

ORDER

CITY OF BUFFALO, BUFFALO PUBLIC SCHOOLS,
BOARD OF EDUCATION OF CITY OF BUFFALO,
LP CIMINELLI, INC., SCRUFARI CONSTRUCTION
COMPANY, INC., DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.

HODGSON RUSS LLP, BUFFALO (JULIA M. HILLIKER OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

MAXWELL MURPHY, LLC, BUFFALO (ALAN D. VOOS OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered October 22, 2009. The order, inter alia, granted the motion of plaintiff for partial summary judgment.

Now, upon reading and filing the stipulation discontinuing appeal signed by the attorneys for the parties on March 12, 2010,

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

Entered: June 11, 2010

Patricia L. Morgan
Clerk of the Court