

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

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CA 09-00929

PRESENT: SMITH, J.P., FAHEY, CARNI, SCONIERS, AND PINE, JJ.

CONSTANCE J. ANDRITZ, AS ADMINISTRATRIX
OF THE ESTATE OF GERALD J. ANDRITZ, DECEASED,
PLAINTIFF-RESPONDENT,

V

ORDER

TOWN OF SALINA, ET AL., DEFENDANTS,
AND FEDERAL EXPRESS CORPORATION,
DEFENDANT-APPELLANT.

FEDERAL EXPRESS CORPORATION, THIRD-PARTY
PLAINTIFF,

V

AEROMECH, INC., THIRD-PARTY DEFENDANT-APPELLANT.

CITY OF SYRACUSE, SECOND THIRD-PARTY PLAINTIFF,

V

AEROMECH, INC., SECOND THIRD-PARTY
DEFENDANT-APPELLANT.

CONSTANCE J. ANDRITZ, AS ADMINISTRATRIX
OF THE ESTATE OF GERALD J. ANDRITZ, DECEASED,
PLAINTIFF-RESPONDENT,

V

HANCOCK INTERNATIONAL ASSOCIATES, INC., DEFENDANT,
AND AERO SYRACUSE, LLC, DEFENDANT-APPELLANT.

SUGARMAN LAW FIRM, LLP, SYRACUSE (JENNA W. KLUCSIK OF COUNSEL), FOR
DEFENDANT-APPELLANT FEDERAL EXPRESS CORPORATION.

BARRY, MCTIERNAN & WEDINGER, EDISON, NEW JERSEY (RICHARD W. WEDINGER
OF COUNSEL), FOR THIRD-PARTY DEFENDANT-APPELLANT, SECOND THIRD-PARTY
DEFENDANT-APPELLANT AND DEFENDANT-APPELLANT AERO SYRACUSE, LLC.

PAUL WILLIAM BELTZ, P.C., BUFFALO (STEPHEN R. FOLEY OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeals from an order of the Supreme Court, Onondaga County

(Brian F. DeJoseph, J.), entered July 21, 2008. The order granted the motion of plaintiff for partial summary judgment and denied the motion of defendant Federal Express Corporation for partial summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on April 28, 2010,

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

Entered: July 2, 2010

Patricia L. Morgan
Clerk of the Court