

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

965

CA 10-00649

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

TAG MECHANICAL SYSTEMS, INC.,
PLAINTIFF-RESPONDENT,

V

ORDER

V.I.P. STRUCTURES, INC.,
DEFENDANT-APPELLANT.

SHEATS & ASSOCIATES, PC, BREWERTON (JASON B. BAILEY OF COUNSEL), FOR
DEFENDANT-APPELLANT.

COSTELLO, COONEY & FEARON, PLLC, SYRACUSE (SHELLY DIBENEDETTO OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered September 9, 2009. The order granted the motion of plaintiff for a protective order.

Now, upon reading and filing the stipulation discontinuing action signed by the attorneys for the parties on May 13, 2010,

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

Entered: October 1, 2010

Patricia L. Morgan
Clerk of the Court