

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

**1392**

**CA 10-01223**

PRESENT: CENTRA, J.P., CARNI, SCONIERS, AND PINE, JJ.

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WILLIAM MORAN AND WENDY MORAN,  
PLAINTIFFS-RESPONDENTS,

V

ORDER

CITY OF SYRACUSE, DEFENDANT,  
CONDREN REALTY MANAGEMENT CORP., SYRACUSE  
INTOWN HOUSES, INC., AND TOWNSEND TOWER  
ASSOCIATES, DEFENDANTS-APPELLANTS.

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COSTELLO, COONEY & FEARON, PLLC, CAMILLUS (MAUREEN G. FATCHERIC OF  
COUNSEL), FOR DEFENDANTS-APPELLANTS.

FINKELSTEIN & PARTNERS LLP, NEWBURGH (GEORGE A. KOHL, II, OF COUNSEL),  
FOR PLAINTIFFS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Onondaga County  
(Anthony J. Paris, J.), entered February 23, 2010 in a personal injury  
action. The order denied the motion of defendants Condren Realty  
Management Corp., Syracuse Intown Houses, Inc., and Townsend Tower  
Associates for summary judgment.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorneys for the parties on January 3, 2011,

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

All concur except PINE, J., who is not participating.

Entered: February 10, 2011

Patricia L. Morgan  
Clerk of the Court