

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

943

CA 11-00749

PRESENT: SMITH, J.P., FAHEY, PERADOTTO, LINDLEY, AND SCONIERS, JJ.

WENDY WILLIAMS, PLAINTIFF-RESPONDENT,

V

ORDER

DELTA SONIC CAR WASH SYSTEMS, INC., DELTA
SONIC SALES & SERVICES, INC., R B-3
ASSOCIATES, INC., RANDALL BENDERSON 1993-1
TRUST, BEN-MIL ASSOCIATES, INC., BENDERSON
DEVELOPMENT COMPANY, INC., AND BENDERSON
PROPERTY DEVELOPMENT, INC.,
DEFENDANTS-APPELLANTS.

KENNEY SHELTON LIPTAK NOWAK LLP, BUFFALO (THOMAS E. LIPTAK OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

THE LAW OFFICE OF MARK D. GROSSMAN, NIAGARA FALLS (MARK D. GROSSMAN OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered August 10, 2010 in a personal injury action. The order denied the motion of defendants for summary judgment dismissing the complaint.

Now, upon the stipulations of discontinuance signed by the attorneys for the parties on July 7, 2011, and filed in the Niagara County Clerk's Office on September 14, 2011,

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

Entered: September 30, 2011

Patricia L. Morgan
Clerk of the Court