

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

992

CA 11-02202

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

LAURIE J. GERACE-MURDENT, PLAINTIFF-APPELLANT,

V

ORDER

LARKIN L. KIMMERER AND ROBIN W. KIMMERER,
DEFENDANTS-RESPONDENTS.

JAMES B. FLECKENSTEIN, SYRACUSE, FOR PLAINTIFF-APPELLANT.

MELVIN & MELVIN, PLLC, SYRACUSE (MICHAEL R. VACCARO OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered March 15, 2011 in a personal injury action. The order denied the motion of plaintiff for partial summary judgment on the issue of negligence.

Now, upon reading and filing the stipulation discontinuing appeal signed by the attorneys for the parties on June 27 and 28, 2012,

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

Entered: September 28, 2012

Frances E. Cafarell
Clerk of the Court