

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

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CA 14-01329

PRESENT: SCUDDER, P.J., SMITH, CENTRA, LINDLEY, AND VALENTINO, JJ.

MELISSA CLARK, PLAINTIFF-RESPONDENT,

V

ORDER

AZZAHER REAL ESTATE, LLC, DEFENDANT-APPELLANT.

GANNON, ROSENFARB, & DROSSMAN, NEW YORK CITY (LISA L. GOKHULSINGH OF COUNSEL), FOR DEFENDANT-APPELLANT.

CELLINO & BARNES, P.C., BUFFALO (DENIS J. BASTIBLE OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered May 30, 2014 in a personal injury action. The order denied defendant's motion for summary judgment dismissing the complaint.

Now, upon reading and filing the stipulation withdrawing appeal signed by attorneys for the parties on February 5 and 6, 2015,

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

Entered: February 13, 2015

Frances E. Cafarell
Clerk of the Court