

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

1048

CA 19-00683

PRESENT: CENTRA, J.P., CARNI, CURRAN, TROUTMAN, AND WINSLOW, JJ.

CHARLENE DROZ, PLAINTIFF-RESPONDENT,

V

ORDER

FAYEZ CHAHFE, M.D., FAYEZ F. CHAHFE, M.D.,
DOING BUSINESS AS THE CHAHFE CENTER, CHAHFE
MEDICAL PROFESSIONAL RECRUITMENT, L.L.C.,
DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.

FAYEZ CHAHFE, M.D., FAYEZ F. CHAHFE, M.D.,
DOING BUSINESS AS THE CHAHFE CENTER AND CHAHFE
MEDICAL PROFESSIONAL RECRUITMENT L.L.C.,
THIRD-PARTY PLAINTIFFS-APPELLANTS,

V

MEDTRONIC XOMED, INC., THIRD-PARTY DEFENDANT.

GALE GALE & HUNT, LLC, SYRACUSE (KEVIN T. HUNT OF COUNSEL), FOR
DEFENDANTS-APPELLANTS AND THIRD-PARTY PLAINTIFFS-APPELLANTS.

LAFAVE, WEIN & FRAMENT, PLLC, GUILDERLAND (MATTHEW T. FAHRENKOPF OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Herkimer County
(Charles C. Merrell, J.), entered January 22, 2019. The order,
insofar as appealed from, granted that part of the motion of plaintiff
seeking to sever the third-party action.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on October 17, 2019,

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

Entered: November 8, 2019

Mark W. Bennett
Clerk of the Court