

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

VINCE LEAVELL HOWINGTON, SR.,

Plaintiff,

v.

**STIPULATION OF  
DISCONTINUANCE**

Civil Action No.: 5:15-CV-115

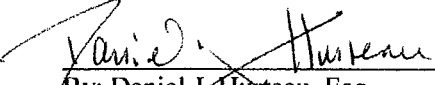
JASON EIFFE and MICHAEL HARD,

Defendants.

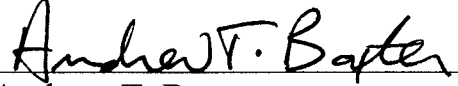
**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, attorneys of record for the parties in the above-entitled action, that no party hereto being an infant or incompetent person for whom a committee has been appointed and no person not a party having an interest in the subject matter of the action, the above-entitled action be and the same hereby is discontinued with prejudice and on the merits, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: September 22, 2017

NIXON PEABODY, LLP

  
By: Daniel J. Hurteau, Esq.  
Attorneys for Plaintiff,  
Vince Leavell Howington, Sr.  
677 Broadway, 10<sup>th</sup> Fl.  
Albany, New York 12207-2996  
Tel: (518) 427-2652


IT IS SO ORDERED:

  
Andrew T. Baxter  
U.S. Magistrate Judge

Dated: October 6, 2017  
Syracuse, NY

Dated: October 4, 2017

JOSEPH E. FAHEY, ESQ.  
CORPORATION COUNSEL

  
By: Christina F. DeJoseph, Esq.  
Attorneys for Defendants,  
Jason Eiffe and Michael Hard  
Assistant Corporation Counsel  
233 E. Washington St., Room 300  
Syracuse, New York 13202  
Tel: (315) 448-8400