

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

DOCKET NO. TP 06-02926

PRESENT: HURLBUTT, J.P., MARTOCHE, LUNN, PERADOTTO, AND GREEN, JJ.

MATTER OF ROCHESTER CITY SCHOOL DISTRICT, PETITIONER,

V

MICHELLE CHENEY DONALDSON, COMMISSIONER, NEW YORK STATE
DIVISION OF HUMAN RIGHTS, ON THE COMPLAINT OF SYNTHIA
JOHNSON, RESPONDENT.

Petitioner having moved to strike part of the record on the CPLR article 78 proceeding transferred to this Court by an order of the Supreme Court entered in the Office of the Clerk of the County of Monroe on September 27, 2006,

Now, upon reading and filing the affirmation of Cara M. Briggs dated December 28, 2006, the notice of motion with proof of service thereof, the opposing affirmation of Michael K. Swirsky dated January 29, 2007, and due deliberation having been had thereon,

It is hereby ORDERED that the motion be, and the same hereby is, granted and the investigatory file of the New York State Division of Human Rights is hereby deemed stricken from the record.

Entered: February 20, 2007

JOANN M. WAHL, Clerk