

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

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CA 13-00681

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, VALENTINO, AND WHALEN, JJ.

PIONEER WAREHOUSING AND DISTRIBUTION, LLC,
PLAINTIFF-RESPONDENT,

V

ORDER

RITE AID OF NEW YORK, INC., DEFENDANT-APPELLANT.

RAVEN & KOLBE, LLP, NEW YORK CITY (MICHAEL T. GLEASON OF COUNSEL), FOR
DEFENDANT-APPELLANT.

SCOLARO, FETTER, GRIZANTI, MCGOUGH & KING, P.C., SYRACUSE (CHAIM J.
JAFFE OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (Brian F. DeJoseph, J.), entered October 29, 2012. The order and judgment, among other things, granted plaintiff's motion for summary judgment.

It is hereby ORDERED that the order and judgment so appealed from is unanimously affirmed without costs for reasons stated at Supreme Court.

Entered: February 7, 2014

Frances E. Cafarell
Clerk of the Court