

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

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**CA 23-00492**

PRESENT: SMITH, J.P., CURRAN, MONTOUR, DELCONTE, AND KEANE, JJ.

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IN THE MATTER OF DOUGLAS W. BLACK,  
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

BLACK AND CALABRESE INTERIOR RESOURCE  
COMPANY, LLC, AND DOUGLAS CALABRESE,  
RESPONDENTS-RESPONDENTS.  
(APPEAL NO. 4.)

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REFERMAT & DANIEL PLLC, ROCHESTER (JOHN T. REFERMAT OF COUNSEL), FOR  
PETITIONER-APPELLANT.

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Appeal from a judgment of the Supreme Court, Monroe County (John J. Ark, J.), entered January 3, 2023. The judgment, inter alia, awarded petitioner \$137,917.44 against respondent Black and Calabrese Interior Resource Company, LLC.

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed without costs.

Memorandum: On appeal from a judgment that, inter alia, awarded petitioner \$137,917.44 following the judicial dissolution of respondent Black and Calabrese Interior Resource Company, LLC (Company) pursuant to section 702 of the Limited Liability Company Law, petitioner contends that Supreme Court erred in failing to order that respondent Douglas Calabrese be held jointly and severally liable for the judgment. We reject that contention. Here, inasmuch as the judgment was granted based on the parties' agreement to dissolve the Company, the court properly imposed the judgment against the Company alone (*see generally Matter of Morris v New York State Dept. of Taxation & Fin.*, 82 NY2d 135, 140-142 [1993]).

We have considered petitioner's remaining contentions and conclude that they are without merit.

Entered: July 3, 2024

Ann Dillon Flynn  
Clerk of the Court