

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

1440

CA 18-01353

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, CURRAN, AND TROUTMAN, JJ.

ALBERT G. FRACCOLA, JR., INDIVIDUALLY AND AS 50 PERCENT SHAREHOLDER, PRESIDENT AND DIRECTOR, COMMITTEEMAN OF ONE, AND CREDITOR OF 1ST CHOICE REALTY, INC., ET AL., PLAINTIFF-APPELLANT,

V

ORDER

1ST CHOICE REALTY, INC., A DOMESTIC CORPORATION IN DISSOLUTION, ET AL., DEFENDANTS, ROBERT K. HILTON, III, JAY G. WILLIAMS, III, AND GETNICK, LIVINGSTON, ATKINSON, GIGLIOTTI AND PRIORE, LLP, DEFENDANTS-RESPONDENTS.

ALBERT G. FRACCOLA, JR., PLAINTIFF-APPELLANT PRO SE.

FELT EVANS, LLP, CLINTON (JAY G. WILLIAMS, III, OF COUNSEL), FOR DEFENDANT-RESPONDENT JAY G. WILLIAMS, III.

GETNICK LIVINGSTON ATKINSON & PRIORE LLP, UTICA (PATRICK G. RADEL OF COUNSEL), FOR DEFENDANT-RESPONDENT GETNICK, LIVINGSTON, ATKINSON, GIGLIOTTI AND PRIORE, LLP.

Appeal from an order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered December 5, 2017. The order, inter alia, granted the motions of defendants Robert K. Hilton, III, Jay G. Williams, III, and Getnick, Livingston, Atkinson, Gigliotti and Priore, LLP, to dismiss the complaint against them.

It is hereby ORDERED that the order so appealed from is unanimously affirmed with costs.

Entered: December 21, 2018

Mark W. Bennett
Clerk of the Court