

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

501

CA 22-01322

PRESENT: LINDLEY, J.P., CURRAN, MONTOUR, AND OGDEN, JJ.

ZAUSMER FRISCH SCRUTON & AGGARWAL, INC., AND
ZAUSMER-FRISCH CONSTRUCTION, INC.,
PLAINTIFFS-RESPONDENTS,

V

ORDER

TWR REAL ESTATE, LLC, THAT WAS RANDOM, INC.,
DOING BUSINESS AS UPSTATE COIN AND GOLD, AND
DAVID COOPER, DEFENDANTS-APPELLANTS.

SHEATS & BAILEY, PLLC, LIVERPOOL (JASON B. BAILEY OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

HANCOCK ESTABROOK, LLP, SYRACUSE (MARY D'AGOSTINO OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Onondaga County (Scott J. DelConte, J.), entered July 28, 2022. The order, insofar as appealed from, granted in part the motion of plaintiffs for partial summary judgment.

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

Entered: June 9, 2023

Ann Dillon Flynn
Clerk of the Court