

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

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CA 23-01367

PRESENT: SMITH, J.P., CURRAN, OGDEN, AND GREENWOOD, JJ.

IN THE MATTER OF MATTHEW KAVANAUGH,
JAMES KAVANAUGH AND HELEN KAVANAUGH, FOR THE
JUDICIAL DISSOLUTION OF CONSUMERS BEVERAGES,
INC. PURSUANT TO BCL § 1104-a,
PETITIONERS-APPELLANTS,

V

ORDER

CONSUMERS BEVERAGES, INC., ET AL., RESPONDENTS,
AND CORNELIUS KAVANAUGH, ALSO KNOWN AS NEIL KAVANAUGH,
RESPONDENT-RESPONDENT.
(APPEAL NO. 2.)

GROSS SHUMAN P.C., BUFFALO (KEVIN R. LELONEK OF COUNSEL), FOR
PETITIONERS-APPELLANTS.

CONNORS LLP, BUFFALO (VINCENT E. DOYLE, III, OF COUNSEL), FOR
RESPONDENT-RESPONDENT.

BARCLAY DAMON, LLP, BUFFALO (JAMES P. MILBRAND OF COUNSEL), FOR
RESPONDENT CONSUMERS BEVERAGES, INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 28, 2023. The order denied the motion of petitioners seeking leave to renew.

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

Entered: March 15, 2024

Ann Dillon Flynn
Clerk of the Court