

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

706

CA 23-01390

PRESENT: WHALEN, P.J., LINDLEY, OGDEN, DELCONTE, AND KEANE, JJ.

THOMAS TRATHEN, AS MANAGING PARTNER
OF TRATHEN LAND CO., LLC, AND TRATHEN
LAND CO., LLC, PLAINTIFFS-APPELLANTS,

V

ORDER

AKZO NOBEL SALT, INC., DEFENDANT,
AND AMERICAN ROCK SALT COMPANY LLC,
DEFENDANT-RESPONDENT.

LIPPES & LIPPES, BUFFALO (RICHARD J. LIPPES OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS

HARRIS BEACH PLLC, PITTSFORD (BRIAN D. GINSBERG OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order and judgment (one paper) of the Supreme Court, Livingston County (J. Scott Odorisi, J.), entered January 4, 2023. The order and judgment, among other things, granted the motion of defendant American Rock Salt Company LLC to dismiss plaintiffs' complaint against it.

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

Entered: November 15, 2024

Ann Dillon Flynn
Clerk of the Court