

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

681

CA 12-02214

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, AND VALENTINO, JJ.

THE EKELMANN GROUP, LLC, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

W. DEAN STUART, ALSO KNOWN AS WARREN DEAN STUART,
MARGO J. STUART, CRYSTAL VALLEY FARMS,
DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.
(APPEAL NO. 1.)

THE SNAVELY LAW FIRM, PAINTED POST (MICHAEL WEGMAN OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

HISCOCK & BARCLAY, LLP, SYRACUSE (J. ERIC CHARLTON OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered August 14, 2012. The order, inter alia, granted the motion of plaintiff for summary judgment against defendants W. Dean Stuart, also known as Warren Dean Stuart, Margo J. Stuart and Crystal Valley Farms.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same Memorandum as in *The Ekelmann Group, LLC v Stuart* ([appeal No. 2] ___ AD3d ___ [July 5, 2013]).

Entered: July 5, 2013

Frances E. Cafarell
Clerk of the Court