

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

**854/19**

**CA 18-01438**

PRESENT: WHALEN, P.J., SMITH, DEJOSEPH, CURRAN, AND WINSLOW, JJ.

---

IN THE MATTER OF LAURENCE R. GOODYEAR,  
DECEASED.

-----  
DANIEL M. GOODYEAR AND WENDY GRISWOLD,  
PETITIONERS-RESPONDENTS,

ORDER

V

FREDERICK J. YOUNG, BEVERLY H. YOUNG, JOHN F.  
YOUNG, JAMES R. YOUNG, JEFFREY K. YOUNG, F.J.  
YOUNG COMPANY, JKLM ENERGY, LLC, AND TILDEN  
MARCELLUS, LLC, RESPONDENTS-APPELLANTS.

---

MEYER, UNKOVIC & SCOTT LLP, PITTSBURGH, PENNSYLVANIA (DAVID G.  
OBERDICK, OF THE PENNSYLVANIA BAR, ADMITTED PRO HAC VICE, OF COUNSEL),  
WOODS OVIATT GILMAN LLP, ROCHESTER (BRIAN D. GWITT OF COUNSEL), AND  
PEPPER HAMILTON LLP (ANDREW P. ZAPPIA OF COUNSEL), FOR  
RESPONDENTS-APPELLANTS.

HODGSON RUSS LLP, BUFFALO (KEVIN M. KEARNEY OF COUNSEL), FOR  
PETITIONERS-RESPONDENTS.

---

Appeal from an order of the Surrogate's Court, Erie County (Acea  
M. Mosey, S.), entered June 25, 2018. The order, among other things,  
granted the motion of respondents for leave to reargue and, upon  
reargument, clarified a prior decision.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorneys for the parties on June 26 and July 6, 2020,

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

Entered: July 24, 2020

Mark W. Bennett  
Clerk of the Court