

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

489

CA 22-01772

PRESENT: PERADOTTO, J.P., BANNISTER, MONTOUR, AND GREENWOOD, JJ.

THOMAS G. MACALLISTER, DERIVATIVELY AS A MEMBER
AND MANAGER OF MIRROR SHOW PROPERTIES, LLC,
PLAINTIFF-RESPONDENT,

V

ORDER

MSM, INC., AND DONNA SHULTZ, DEFENDANTS-APPELLANTS.
(APPEAL NO. 1.)

WARD GREENBERG HELLER & REIDY LLP, ROCHESTER (JOSHUA M. AGINS OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

ADAMS LECLAIR LLP, ROCHESTER (STEVEN E. COLE OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (J.
Scott Odorisi, J.), entered May 16, 2022. The order, inter alia,
granted in part the motion of plaintiff for summary judgment.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on May 30, 2023,

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

Entered: June 30, 2023

Ann Dillon Flynn
Clerk of the Court