

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

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CA 22-01905

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

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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. 2.)

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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.

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Appeal from a judgment of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered June 15, 2022. The judgment awarded plaintiff money damages of \$111,198.37, plus interest, costs and disbursements.

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