

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

431

CA 22-00541

PRESENT: WHALEN, P.J., LINDLEY, CURRAN, BANNISTER, AND GREENWOOD, JJ.

---

DAN'S HAULING & DEMO, INC.,  
PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

GMMM HICKLING, LLC, HICKLING POWER  
DEVELOPMENT, LLC, POWER DEVELOPMENT  
HOLDINGS, LLC, AND JOHN PACHECO,  
DEFENDANTS-RESPONDENTS.  
(APPEAL NO. 1.)

---

THE STEELE LAW FIRM, P.C., OSWEGO (KIMBERLY A. STEELE OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

GOLDBERG SEGALLA LLP, BUFFALO (MEGHAN M. BROWN OF COUNSEL), FOR  
DEFENDANTS-RESPONDENTS.

---

Appeal from an order of the Supreme Court, Steuben County (J. Scott Odorisi, J.), entered March 28, 2022. The order, among other things, granted that part of the motion of defendants seeking to vacate a preliminary injunction.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Same memorandum as in *Dan's Hauling & Demo, Inc. v GMMM Hickling, LLC* ([appeal No. 2] – AD3d – [July 28, 2023] [4th Dept 2023]).

Entered: July 28, 2023

Ann Dillon Flynn  
Clerk of the Court