

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

681

CA 23-00088

PRESENT: WHALEN, P.J., LINDLEY, OGDEN, AND NOWAK, JJ.

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UNIVERSITY SQUARE SAN ANTONIO, TX. LLC,  
PLAINTIFF-RESPONDENT,

V

ORDER

MEGA FURNITURE DEZAVALA, LLC, MEGA FURNITURE &  
ACCESSORIES, LLC, KARIM KANJIYANI, YASMIN  
DAREDIA, ARIZONA MEGA FURNITURE, LLC,  
DEFENDANTS-APPELLANTS,  
ET AL., DEFENDANTS.

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BARCLAY DAMON LLP, BUFFALO (MICHAEL E. FERDMAN OF COUNSEL), FOR  
DEFENDANTS-APPELLANTS.

HARRIS BEACH PLLC, PITTSFORD (DALE A. WORRALL OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Monroe County  
(Victoria M. Argento, J.), entered November 4, 2022. The order, inter  
alia, denied the motion of defendants-appellants for summary judgment  
and granted the cross-motion of plaintiff for, among other things,  
summary judgment on its first and second causes of action.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorneys for the parties,

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

Entered: November 17, 2023

Ann Dillon Flynn  
Clerk of the Court