

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

562

CA 22-00035

PRESENT: WHALEN, P.J., SMITH, CENTRA, LINDLEY, AND BANNISTER, JJ.

---

MICHAEL PERRI, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

MARK CASE, DOING BUSINESS AS CASE'S MINI STORAGE,  
BRIAN COOK AND JEFFREY COOK, DEFENDANTS-APPELLANTS.  
(APPEAL NO. 3.)

---

REFERMAT HURWITZ & DANIEL PLLC, ROCHESTER (JOHN T. REFERMAT OF  
COUNSEL), FOR DEFENDANT-APPELLANT MARK CASE, DOING BUSINESS AS CASE'S  
MINI STORAGE.

NIXON PEABODY LLP, ROCHESTER (ZACHARY C. OSINSKI OF COUNSEL), FOR  
DEFENDANTS-APPELLANTS BRIAN COOK AND JEFFREY COOK.

SANTIAGO BURGER LLP, ROCHESTER (FERNANDO SANTIAGO OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

---

Appeals from an order of the Supreme Court, Ontario County (J. Scott Odorisi, J.), entered December 30, 2021. The order, among other things, granted in part the motion of plaintiff to hold defendant Mark Case, doing business as Case's Mini Storage, in contempt.

It is hereby ORDERED that said appeal by defendants Brian Cook and Jeffrey Cook is unanimously dismissed and the order is affirmed without costs.

Same memorandum as in *Perri v Case* ([appeal No. 1] – AD3d – [Aug. 4, 2002] [4th Dept 2022]).

Entered: August 4, 2022

Ann Dillon Flynn  
Clerk of the Court