

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

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CA 22-01254

PRESENT: WHALEN, P.J., SMITH, PERADOTTO, BANNISTER, AND OGDEN, JJ.

ROBERT STERN, PLAINTIFF-APPELLANT,

V

ORDER

GOLUB CORPORATION, PRICE CHOPPER OPERATING CO.,
INC., GOLUB CORP., DOING BUSINESS AS PRICE
CHOPPER (STORE #172), AND JOHN L. BETSEY,
DEFENDANTS-RESPONDENTS.

ROBERT STERN, PLAINTIFF-APPELLANT PRO SE.

SMITH, SOVIK, KENDRICK & SUGNET, P.C., SYRACUSE (DAVID M. KATZ OF
COUNSEL), FOR DEFENDANTS-RESPONDENTS GOLUB CORPORATION, PRICE CHOPPER
OPERATING CO., INC., AND GOLUB CORP., DOING BUSINESS AS PRICE
CHOPPER (STORE #172).

JOHN L. BETSEY, DEFENDANT-RESPONDENT PRO SE.

Appeal from an order of the Supreme Court, Onondaga County
(Gerard J. Neri, J.), entered February 3, 2022. The order granted the
motion of defendants Golub Corporation, Price Chopper Operating Co.,
Inc., and Golub Corp., doing business as Price Chopper (Store #172)
for summary judgment, granted the motion of defendant John L. Betsey
for summary judgment and denied the cross motion of plaintiff for
summary judgment.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed without costs for reasons stated in the decision
at Supreme Court.

Entered: February 3, 2023

Ann Dillon Flynn
Clerk of the Court