

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

254

CA 22-00706

PRESENT: WHALEN, P.J., PERADOTTO, CURRAN, BANNISTER, AND MONTOUR, JJ.

THE NEW Y-CAPP, INC., JONATHAN EUGENE COLEMAN
AND DONNA ZEMORIA PIERCE-BAYLOR,
PLAINTIFFS-APPELLANTS,

V

ORDER

YELLOWSTONE CAPITAL, LLC, DEFENDANT-RESPONDENT.
(APPEAL NO. 2.)

WHITE AND WILLIAMS LLP, PHILADELPHIA, PENNSYLVANIA (SHANE R. HESKIN OF
COUNSEL), FOR PLAINTIFFS-APPELLANTS.

MURRAY LEGAL, PLLC, MINEOLA (CHRISTOPHER R. MURRAY OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from a judgment of the Supreme Court, Erie County (Timothy
J. Walker, A.J.), entered December 23, 2021. The judgment dismissed
the action.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on January 3, 2023,

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

Entered: March 17, 2023

Ann Dillon Flynn
Clerk of the Court