

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

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CA 22-00687

PRESENT: SMITH, J.P., LINDLEY, CURRAN, OGDEN, AND GREENWOOD, JJ.

EXIT 52 E. TRUCK STOP, INC., HASSELBACK
EQUIPMENT, INC., AND WHITE ARROW SERVICE
STATIONS, INC., PLAINTIFFS-APPELLANTS,

V

ORDER

JOE LEGNO'S RIVERSIDE SERVICE, INC., AND
ANTHONY J. LEGNO, DEFENDANTS-RESPONDENTS.

MICHAEL P.J. MCGORRY, BUFFALO, MAGAVERN MAGAVERN GRIMM LLP (EDWARD J.
MARKARIAN OF COUNSEL), FOR PLAINTIFFS-APPELLANTS.

VAHEY LAW OFFICES, PLLC, ROCHESTER (JARED K. COOK OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 7, 2022. The order granted the motion of defendants to dismiss the amended complaint and dismissed the amended complaint.

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: June 30, 2023

Ann Dillon Flynn
Clerk of the Court