

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

1062

CA 23-00746

PRESENT: SMITH, J.P., CURRAN, BANNISTER, GREENWOOD, AND NOWAK, JJ.

NEWCO CAPITAL GROUP VI LLC, PLAINTIFF-APPELLANT,

V

ORDER

HOPE HOSPICE CARE, INC., DOING BUSINESS AS
HOPE HOSPICE CARE, HOPE HOSPICE CARE, INC.,
HOPE CARE, 24HOUR HOME CAREGIVING, LLC, C.C.P.A.,
BEACH VIEW POST-ACUTE & REHAB, LLC, BEVERLY
HILLS GLOBAL SPA, IMMANUEL HOSPICE, INC.,
TLC HOMECARE, INC., MANUEL V. GALLEGU NURSING
ALUMNI ASSOCIATION OF THE USA, ROYALTY GLOBAL
MEDSPA, GL JIMINEZ LLC, SKINR4 LLC, ORANGE COAST
HOSPICE, INC., AND GEOFFREY LAPUZ JIMINEZ,
DEFENDANTS-RESPONDENTS.

HODGSON RUSS LLP, BUFFALO (JAMES J. ZAWODZINSKI, JR., OF COUNSEL), AND
BERKOVITCH & BOUSKILA, PLLC, PONOMA, FOR PLAINTIFF-APPELLANT.

LAW OFFICE OF DOMINICK R. DALE, FOREST HILLS, POLLACK, POLLACK, ISAAC
& DECICCO, LLP, NEW YORK CITY (BRIAN J. ISAAC OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Ontario County (Brian
D. Dennis, A.J.), entered January 20, 2023. The order, inter alia,
transferred the action from Ontario County to New York County.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on December 6, 2023,

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

Entered: December 22, 2023

Ann Dillon Flynn
Clerk of the Court