

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

1269

CA 08-01817

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, CARNI, AND GORSKI, JJ.

FRANK PARLATO, JR., INDIVIDUALLY AND AS
MANAGER OF ONE NIAGARA, LLC AND AS PRESIDENT
OF WHITESTAR DEVELOPMENT CORP., AND WHITESTAR
DEVELOPMENT CORP., AS MEMBER OF ONE NIAGARA,
LLC, PLAINTIFFS-RESPONDENTS,

V

ORDER

INCREDIBLE INVESTMENTS LIMITED, SHMUEL SHMUELI,
DEFENDANTS-APPELLANTS,
ET AL., DEFENDANT.
(APPEAL NO. 1.)

ZDARSKY SAWICKI & AGOSTINELLI LLP, BUFFALO (JOSEPH E. ZDARSKY OF
COUNSEL), AND LORENZO & COHEN, FOR DEFENDANTS-APPELLANTS.

ROSCETTI & DECASTRO, P.C., NIAGARA FALLS (PAUL A. GRENGA OF COUNSEL),
FOR PLAINTIFFS-RESPONDENTS.

Appeals from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered May 21, 2008. The order, insofar as appealed from, granted in part plaintiffs' motion for a preliminary injunction.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Entered: November 13, 2009

Patricia L. Morgan
Clerk of the Court