

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

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CA 09-01411

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, PINE, AND GORSKI, JJ.

UTICA LAND EQUITIES LLC, PLAINTIFF,

V

ORDER

UTICA HOLDING COMPANY, DEFENDANT.

UTICA HOLDING COMPANY, COUNTERCLAIM
PLAINTIFF-RESPONDENT,

V

COOLIDGE UTICA LLC, COUNTERCLAIM
DEFENDANT-APPELLANT.
(APPEAL NO. 1.)

GOLDBERG WEPRIN FINKEL GOLDSTEIN LLP, NEW YORK CITY (MATTHEW HEARLE OF
COUNSEL), FOR COUNTERCLAIM DEFENDANT-APPELLANT.

DOUGLAS H. ZAMELIS, MANLIUS, FOR COUNTERCLAIM PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Herkimer County
(Michael E. Daley, J.), entered March 26, 2009. The order, inter
alia, held counterclaim defendant in civil and criminal contempt.

Now, upon reading and filing the stipulation withdrawing and
discontinuing appeals signed by the attorneys for the parties on March
11 and 18, 2010,

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

Entered: March 26, 2010

Patricia L. Morgan
Clerk of the Court