

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

**103.1**

**CA 09-00327**

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

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UTICA LAND EQUITIES LLC, PLAINTIFF,

V

ORDER

UTICA HOLDING COMPANY, DEFENDANT.

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UTICA HOLDING COMPANY, COUNTERCLAIM  
PLAINTIFF-RESPONDENT,

V

COOLIDGE UTICA LLC, COUNTERCLAIM  
DEFENDANT-APPELLANT.  
(APPEAL NO. 3.)

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

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

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Appeal from an order of the Supreme Court, Herkimer County  
(Michael E. Daley, J.), entered January 5, 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