

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

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CA 09-01412

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. 2.)

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 a judgment of the Supreme Court, Herkimer County
(Michael E. Daley, J.), entered April 13, 2009. The judgment, inter
alia, adjudged that counterclaim plaintiff recover a specified sum
from counterclaim defendant as the penalty for civil 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