

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

1073

CA 09-01685

PRESENT: SCUDDER, P.J., CENTRA, PERADOTTO, SCONIERS, AND PINE, JJ.

---

WINDSONG LANE FARMS, PLAINTIFF-APPELLANT,

V

ORDER

TELMARK, LLC AND RONALD J. POPE,  
DEFENDANTS-RESPONDENTS.  
(APPEAL NO. 1.)

---

HISCOCK & BARCLAY, LLP, SYRACUSE (ELLEN K. EAGEN OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

MENTER, RUDIN & TRIVELPIECE, P.C., SYRACUSE (JULIAN B. MODESTI OF  
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

---

Appeal from an order of the Supreme Court, Jefferson County  
(Joseph D. McGuire, J.), entered July 13, 2009. The order, inter  
alia, denied the motion of plaintiff to set aside the verdict.

It is hereby ORDERED that said appeal is unanimously dismissed  
without costs (see *Smith v Catholic Med. Ctr. of Brooklyn & Queens*,  
155 AD2d 435; see also CPLR 5501 [a] [1], [2]).

Entered: October 1, 2010

Patricia L. Morgan  
Clerk of the Court