

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D14276
W/hu

_____AD3d_____

Argued - February 2, 2007

STEPHEN G. CRANE, J.P.
GABRIEL M. KRAUSMAN
STEVEN W. FISHER
THOMAS A. DICKERSON, JJ.

2006-02173

DECISION & ORDER

Natural Organics, Inc., appellant, v Dennis
Stafford, et al., respondents.

(Index No. 13832/05)

Meyer, Suozzi, English & Klein, P.C., Mineola, N.Y. (Kevin Schlosser of counsel),
for appellant.

Curtis, Mallet-Prevost, Colt & Mosle, LLP, New York, N.Y. (Bernard V. Preziosi,
Gary L. Cutler, Shannon McNulty, and Darrell J. Conway, P.C., of counsel), for
respondents.

In an action, inter alia, to recover damages for breach of contract, the plaintiff appeals,
as limited by its notice of appeal and brief, from so much of an order of the Supreme Court, Nassau
County (Bucaria, J.), dated January 19, 2006, as granted those branches of the defendants' motion
pursuant to CPLR 3211(a)(7) which were to dismiss the first and fourth causes of action and so much
of the second, third, and fifth causes of action insofar as asserted against the defendant Nature's Way
Products, Inc.

ORDERED that the order is reversed insofar as appealed from, on the law, with costs,
and those branches of the defendants' motion pursuant to CPLR 3211(a)(7) which were to dismiss
the first and fourth causes of action and so much of the second, third, and fifth causes of action

March 13, 2007

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insofar as asserted against the defendant Nature's Way Products, Inc., are denied (*see Natural Organics, Inc. v Smith*, _____AD3d_____ [decided herewith]).

CRANE, J.P., KRAUSMAN, FISHER and DICKERSON, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court