

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

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SANDRA L. SGROI, J.P.
ROBERT J. MILLER
VALERIE BRATHWAITE NELSON
ANGELA G. IANNACCI, JJ.

2017-10467

DECISION & ORDER ON MOTION

RSA Catering, LLC, respondent,
v Scott Schneider, et al., appellants.

(Index No. 600707/17)

Appeals from an order of the Supreme Court, Nassau County, entered May 12, 2017. By order to show cause dated December 11, 2017, the parties were directed to show cause before this Court why an order should or should not be made and entered dismissing the appeal taken on behalf of the defendants by Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara Wolf & Carone, LLP, from the order entered May 12, 2017, in the above-entitled action on the ground that Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara Wolf & Carone, LLP, did not have authority to file a notice of appeal on the defendants' behalf.

Now, upon the order to show cause and no papers having been filed in response thereto, it is

ORDERED that the motion to dismiss the appeal is granted, and the appeal is dismissed, without costs or disbursements (*see* CPLR 321).

SGROI, J.P., MILLER, BRATHWAITE NELSON and IANNACCI, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 15, 2018

RSA CATERING, LLC v SCHNEIDER