

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

1232

**CA 19-01182**

PRESENT: CARNI, J.P., LINDLEY, CURRAN, WINSLOW, AND BANNISTER, JJ.

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V.M. PAOLOZZI IMPORTS, INC., DOING BUSINESS AS  
DEALMAKER AT DRUM HONDA AND DEALMAKER OF  
POTSDAM, LLC, DOING BUSINESS AS DEALMAKER HONDA  
OF POTSDAM, PLAINTIFFS-RESPONDENTS-APPELLANTS,

V

ORDER

SCOLARO, SHULMAN, COHEN, FETTER & BURSTEIN, P.C.,  
SCOLARO, FETTER, GRIZANTI, MCGOUGH & KING, P.C,  
CHAIM J. JAFFE, DEFENDANTS-APPELLANTS-RESPONDENTS,  
ET AL., DEFENDANT.

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LONDON FISCHER LLP, NEW YORK CITY (JASON M. MYERS OF COUNSEL), FOR  
DEFENDANTS-APPELLANTS-RESPONDENTS.

DAVID A. JOHNS, ESQ., PULTNEYVILLE (DAVID A. JOHNS OF COUNSEL), FOR  
PLAINTIFFS-RESPONDENTS-APPELLANTS.

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Appeal and cross appeal from an order of the Supreme Court,  
Jefferson County (James P. McClusky, J.), entered May 2, 2019. The  
order denied the motion of defendants Scolaro, Shulman, Cohen, Fetter  
& Burstein, P.C., Soloro, Fetter, Grizanti, McGough & King, P.C., and  
Chaim J. Jaffe, seeking summary judgment dismissing plaintiffs'  
amended complaint and for summary judgment on their second  
counterclaim and denied plaintiffs' cross motion for partial summary  
judgment.

Now, upon the stipulation of discontinuance signed by the  
attorneys for the parties on January 8, 2020, and filed in the  
Jefferson County Clerk's Office on January 14, 2020,

It is hereby ORDERED that said appeal and cross appeal are  
unanimously dismissed without costs upon stipulation.

Entered: March 13, 2020

Mark W. Bennett  
Clerk of the Court