

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

1013

CA 18-02140

PRESENT: WHALEN, P.J., SMITH, DEJOSEPH, AND CURRAN, JJ.

WILLIAM HOWARD, SUING IN THE RIGHT OF ARCHER RD.
VISTA LLC, WILLIAM HOWARD, INDIVIDUALLY, AND
WESTSIDE DEVELOPMENT OF ROCHESTER, INC.,
PLAINTIFFS-RESPONDENTS,

V

MEMORANDUM AND ORDER

GARY L. POOLER, DEFENDANT-APPELLANT,
ARCHER RD. VISTA LLC, AND GARY L. POOLER, AS
MANAGER OF ARCHER RD. VISTA LLC,
INTERVENORS-APPELLANTS.
(APPEAL NO. 2.)

ERNSTROM & DRESTE, LLP, ROCHESTER (MARTHA A. CONNOLLY OF COUNSEL), AND
MORGANSTERN DEVOESICK PLLC, PITTSFORD, FOR DEFENDANT-APPELLANT.

UNDERBERG & KESSLER LLP, ROCHESTER (DAVID M. TANG OF COUNSEL), FOR
INTERVENORS-APPELLANTS.

BOND, SCHOENECK & KING, PLLC, ROCHESTER (JOSEPH S. NACCA OF COUNSEL),
FOR PLAINTIFFS-RESPONDENTS.

Appeals from an order of the Supreme Court, Monroe County
(Matthew A. Rosenbaum, J.), entered October 18, 2018. The order,
among other things, appointed a receiver for the dissolution of Archer
Rd. Vista LLC.

It is hereby ORDERED that said appeals are unanimously dismissed
without costs.

Same memorandum as in *Howard v Pooler* ([appeal No. 1] – AD3d –
[June 12, 2020] [4th Dept 2020]).

Entered: June 12, 2020

Mark W. Bennett
Clerk of the Court