

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

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CA 21-00772

PRESENT: WHALEN, P.J., SMITH, PERADOTTO, NEMOYER, AND WINSLOW, JJ.

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CARROLS LLC, PLAINTIFF-APPELLANT-RESPONDENT,

V

ORDER

DELFIELD COMPANY, LLC,  
DEFENDANT-RESPONDENT-APPELLANT.

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AKERMAN LLP, CHICAGO, ILLINOIS (CATHERINE A. MILLER, OF THE ILLINOIS  
BAR, ADMITTED PRO HAC VICE, OF COUNSEL), FOR  
PLAINTIFF-APPELLANT-RESPONDENT.

RIVKIN RADLER LLP, UNIONDALE (MERRIL S. BISCONI OF COUNSEL), FOR  
DEFENDANT-RESPONDENT-APPELLANT.

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Appeal and cross appeal from an order of the Supreme Court,  
Onondaga County (Deborah H. Karalunas, J.), entered May 17, 2021. The  
order granted in part and denied in part the motion of defendant to  
dismiss various causes of action in the amended complaint.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs for reasons stated in the decision  
at Supreme Court.

Entered: April 22, 2022

Ann Dillon Flynn  
Clerk of the Court