

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

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CA 23-01834

PRESENT: LINDLEY, J.P., MONTOUR, OGDEN, NOWAK, AND KEANE, JJ.

DONALD J. LEONE, LORI LEONE AND
DONALD J. LEONE, LLC, PLAINTIFFS-APPELLANTS,

V

ORDER

ELMWOOD BIDWELL REDEVELOPMENT COMPANY, LLC,
CIMINELLI REAL ESTATE CORPORATION AND
CIMINELLI REAL ESTATE VENTURES, LLC,
DEFENDANTS-RESPONDENTS.

LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (JOHN A. COLLINS OF COUNSEL),
FOR PLAINTIFFS-APPELLANTS.

LIPPES MATHIAS LLP, BUFFALO (JENNIFER C. PERSICO OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Craig D. Hannah, J.), entered October 12, 2023. The order granted the motion of defendants to dismiss the complaint.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Entered: January 31, 2025

Ann Dillon Flynn
Clerk of the Court