

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

895

CA 23-00729

PRESENT: SMITH, J.P., BANNISTER, MONTOUR, GREENWOOD, AND KEANE, JJ.

FITCH FARMS, INC., PLAINTIFF-RESPONDENT,

V

ORDER

JOSEPH A. FITCH, DEFENDANT-APPELLANT.

ERIC J. MIKOLS, BUFFALO, FOR DEFENDANT-APPELLANT.

DIMATTEO ROACH & KELLY, WARSAW (DAVID M. ROACH OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from a judgment (denominated order) of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered March 27, 2023. The judgment, among other things, declared that plaintiff has not violated the nonassignment clauses in the subject leases.

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

Entered: January 31, 2025

Ann Dillon Flynn
Clerk of the Court