

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

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CA 23-01867

PRESENT: CURRAN, J.P., MONTOUR, SMITH, DELCONTE, AND HANNAH, JJ.

NEWCO CAPITAL GROUP VI LLC, PLAINTIFF-APPELLANT,

V

ORDER

MD POWER INC., DOING BUSINESS AS MD POWER,
MD POWER INC., INFINITUM INC., DISPOZIBUM CO.,
AND MIRJANA RACIC, DEFENDANTS-RESPONDENTS.

BERKOVITCH & BOUSKILA, PLLC, POMONA (ARIEL BOUSKILA OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

LEBEDIN KOFMAN, LLP, NEW YORK CITY (MICHAEL S. LEINOFF OF COUNSEL),
FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Ontario County (Daniel J. Doyle, J.), entered October 26, 2023. The order granted the motion of defendants to vacate a default judgment, vacated the default judgment and dismissed the 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: March 14, 2025

Ann Dillon Flynn
Clerk of the Court