

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

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CA 25-00522

PRESENT: LINDLEY, J.P., BANNISTER, GREENWOOD, NOWAK, AND HANNAH, JJ.

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VAN BUREN FARMS, LLC, VERNE VAN BUREN AND  
WALTER VAN BUREN, PLAINTIFFS-RESPONDENTS,

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ORDER

HENDRIX FARMS, ET AL., DEFENDANTS,  
AND CONKLIN COMPANY, INC., DEFENDANT-APPELLANT.

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PHILLIPS LYTTLE LLP, BUFFALO (PRESTON L. ZARLOCK OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

WEBSTER SZANYI LLP, BUFFALO (ANDREW O. MILLER OF COUNSEL), FOR  
PLAINTIFFS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Niagara County  
(Deborah A. Chimes, J.), entered March 6, 2025. The order denied the  
motion of defendant Conklin Company, Inc. to dismiss the amended  
complaint against it.

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: December 23, 2025

Ann Dillon Flynn  
Clerk of the Court