

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

**565**

**CA 24-00238**

PRESENT: BANNISTER, J.P., MONTOUR, OGDEN, AND KEANE, JJ.

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PAUL BARRETT, AS EXECUTOR OF THE ESTATE OF  
J. PATRICK BARRETT, DECEASED, PLAINTIFF-RESPONDENT,

V

ORDER

PEG ENTERPRISES, LLC, ED WEIBRECHT, INDIVIDUALLY  
AND AS A MEMBER OF PEG ENTERPRISES, LLC,  
DEFENDANTS-APPELLANTS,  
ET AL., DEFENDANT.

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LAW OFFICE OF JAMES M. BROOKS, LAKE PLACID (JAMES M. BROOKS OF  
COUNSEL), FOR DEFENDANT-APPELLANT PEG ENTERPRISES, LLC.

YOUNG/SOMMER LLC, ALBANY (J. MICHAEL NAUGHTON OF COUNSEL), FOR  
DEFENDANT-APPELLANT ED WEIBRECHT, INDIVIDUALLY AND AS A MEMBER OF PEG  
ENTERPRISES, LLC.

SMITH, SOVIK, KENDRICK & SUGNET, P.C., SYRACUSE (KEVIN E. HULSLANDER  
OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

GOLDBERG SEGALLA LLP, SYRACUSE (WILLIAM H. HYTHON OF COUNSEL), FOR  
DEFENDANT GREGORY PEACOCK, INDIVIDUALLY AND AS A MEMBER OF PEG  
ENTERPRISES, LLC.

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Appeals from an order of the Supreme Court, Onondaga County  
(Danielle M. Fogel, J.), entered January 11, 2024. The order granted  
the motion of plaintiff for leave to amend the complaint and denied  
the cross-motion of defendants for a change of venue.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorneys for the parties on March 12, 2025,

It is hereby ORDERED that said appeals are unanimously dismissed  
without costs upon stipulation.

Entered: June 6, 2025

Ann Dillon Flynn  
Clerk of the Court