

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

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CA 12-01124

PRESENT: SCUDDER, P.J., CENTRA, CARNI, SCONIERS, AND MARTOCHE, JJ.

TRG ADVISORS, INC., FORMERLY KNOWN AS P&A
FINANCIAL SECURITIES, INC., TOUCHSTONE
RETIREMENT GROUP, LLC, TOUCHSTONE-TRPC, LLC,
R.J. WATSON, INC. AND CANDYCE WATSON, AS
TRUSTEE OF R.J. WATSON, INC. 401 (K) PLAN,
PLAINTIFFS-APPELLANTS,

V

ORDER

P&A RETIREMENT PLAN SERVICES, INC., P&A
ADMINISTRATIVE SERVICES, INC., MICHAEL A.
RIZZO AND JOSEPH PRISELAC, JR.,
DEFENDANTS-RESPONDENTS.
(APPEAL NO. 1.)

ZDARSKY, SAWICKI & AGOSTINELLI LLP, BUFFALO (JOSEPH E. ZDARSKY OF
COUNSEL), FOR PLAINTIFFS-APPELLANTS.

MATTAR, D'AGOSTINO & GOTTLIEB, LLP, BUFFALO (LAWRENCE J. MATTAR OF
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered March 9, 2012. The order, insofar as appealed from, denied in part the motion of plaintiffs for a preliminary injunction.

Now, upon the stipulation of discontinuance signed by the attorneys for the parties on January 23, 2013, and filed in the Erie County Clerk's Office on January 29, 2013,

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

Entered: April 26, 2013

Frances E. Cafarell
Clerk of the Court