

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

989

CA 21-00097

PRESENT: CARNI, J.P., LINDLEY, NEMOYER, WINSLOW, AND BANNISTER, JJ.

PROGRESSIVE WATER TREATMENT INC., DOING
BUSINESS AS ORIGINCLEAR, ORIGINCLEAR INC.,
DOING BUSINESS AS ORIGINCLEAR, AND TENER R.
ECKELBERRY, JR., PLAINTIFFS-APPELLANTS,

V

ORDER

YELLOWSTONE CAPITAL LLC, DEFENDANT-RESPONDENT.
(APPEAL NO. 1.)

THE BASILE LAW FIRM P.C., JERICHO (MARK R. BASILE OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

STEIN ADLER DABAH & ZELKOWITZ, LLP, NEW YORK CITY (CHRISTOPHER MURRAY
OF COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered January 5, 2021. The order, among other things, granted defendant's motion to dismiss the complaint.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on August 9 and 10, 2021,

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

Entered: November 12, 2021

Ann Dillon Flynn
Clerk of the Court