

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

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CA 17-01957

PRESENT: WHALEN, P.J., SMITH, CARNI, NEMOYER, AND TROUTMAN, JJ.

CAYUGA NATION, BY AND THROUGH ITS LAWFUL
GOVERNING BODY, CAYUGA NATION COUNCIL,
PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

SAMUEL CAMPBELL, CHESTER ISAAC, JUSTIN BENNETT,
KARL HILL, SAMUEL GEORGE, DANIEL HILL, TYLER
SENECA, MARTIN LAY, WILLIAM JACOBS, WARREN JOHN,
WANDA JOHN, BRENDA BENNETT, PAMELA ISAAC, ET AL.,
DEFENDANTS-APPELLANTS,
AND COUNTY OF SENECA, INTERVENOR.
(APPEAL NO. 2.)

MARGARET A. MURPHY, P.C., ORCHARD PARK (MARGARET A. MURPHY OF
COUNSEL), AND JOSEPH J. HEATH, SYRACUSE, FOR DEFENDANTS-APPELLANTS.

JENNER & BLOCK LLP, WASHINGTON, D.C. (DAVID W. DEBRUIN, OF THE
WASHINGTON, D.C. BAR, ADMITTED PRO HAC VICE, OF COUNSEL), AND BARCLAY
DAMON LLP, ROCHESTER, FOR PLAINTIFF-RESPONDENT.

Appeal from an amended order of the Supreme Court, Seneca County
(Dennis F. Bender, A.J.), entered October 18, 2017. The amended
order, inter alia, denied that part of defendants' motion seeking
leave to reargue and directed defendants to post an undertaking.

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

Same memorandum as in *Cayuga Nation v Campbell* ([appeal No. 1] -
AD3d - [July 25, 2018] [4th Dept 2018]).

Entered: July 25, 2018

Mark W. Bennett
Clerk of the Court