

STATE OF NEW YORK  
SUPREME COURT COUNTY OF JEFFERSON

COPY

JOHN L. YEHLE,

Petitioner,

Index No. 2015-1321  
RJI No. 22-15-0572  
Hon. James P. McClusky, J.S.C.

-vs-

JON T. RICH, JR.,

Respondent.

STIPULATED ORDER  
GRANTING PARTIAL  
SUMMARY JUDGMENT

RECEIVED  
NOV 21 2018  
CLERK OF THE SUPREME COURT  
COUNTY OF JEFFERSON

WHEREAS, Petitioner, John L. Yehle, and Respondent, Jon T. Rich, Jr. are the sole members of a New York limited liability company known as Wellesley Island Storage, LLC, and

WHEREAS, Petitioner petitioned this Court for certain relief related to the dissolution and winding up of Wellesley Island Storage, LLC, including: (a) judicial dissolution; (b) a commercially reasonable sale of all property of that entity; (c) an accounting; and (d) distribution of all assets belonging to the entity consistent with such accounting, and

WHEREAS, issue was joined and the parties have engaged in discovery, with additional discovery relating to the accounting and distribution of assets still outstanding, and

WHEREAS, Respondent, Jon T. Rich, Jr. consents to dissolution of Wellesley Island Storage, LLC and a judicially ordered sale of all assets of the entity, and

WHEREAS, the parties have agreed all assets of Wellesley Island Storage, LLC should be sold at auction by Brzostek's Auction Service, Inc. and/or Brzostek's Real Estate Auction, Inc., a/k/a "Brzostek's"; and

WHEREAS, no party hereto is an infant or incapacitated person for whom a guardian has been appointed and no person not a party has an interest in the subject matter of the action;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above-entitled proceeding, that Wellesley Island Storage, LLC be and hereby is DISSOLVED, and the entity shall now enter the winding-up phase, and it is further

COSTELLO, COONEY & FEARON, PLLC

COSTELLO, COONEY & FEARON, PLLC


**STIPULATED AND AGREED** that all assets of Wellesley Island Storage, LLC be sold at auction at the earliest commercially reasonable date by Brzostek's, or in the event Brzostek's is unavailable or otherwise unable to auction Wellesley Island Storage, LLC, by another auction house, and it is further

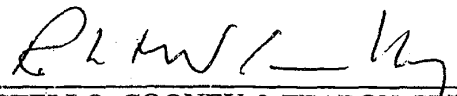
**STIPULATED AND AGREED** that following the sale of assets, as referenced herein, further proceedings and claims remain to determine each member's contribution and membership interests, and it is further

**STIPULATED AND AGREED** that in light of the above-referenced additional proceedings in this matter, all funds from the sale of Wellesley Island Storage, LLC's assets shall be held in escrow and release and distributed only pursuant to a settlement agreement executed by both parties to this matter or by Court Order, and it is further

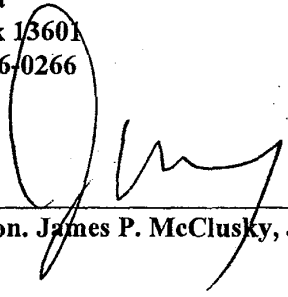
**STIPULATED AND AGREED** that within sixty (60) days of the closing of the sale of all assets of Wellesley Island Storage, LLC, Petitioner, John L. Yehle, shall file or cause to be filed with this Court a proposed Final Accounting for Wellesley Island Storage, LLC.

**DATED:**

  
\_\_\_\_\_  
**SLYE LAW OFFICES, P.C.**  
By: Robert J. Slye, Esq.  
Attorneys for Petitioner  
Office and Post Office Address  
104 Washington Street  
Watertown, New York 13601  
Telephone: (315) 786-0266

  
\_\_\_\_\_  
**COSTELLO, COONEY & FEARON, PLLC**  
By: Robert W. Connolly, Esq.  
Attorneys for Respondent  
Office and Post Office Address  
500 Plum Street, Suite 300  
Syracuse, New York 13204  
Telephone: (315) 422-1152

**SO ORDERED:**

  
*November 20, 2018*  
\_\_\_\_\_  
Hon. James P. McClusky, J.S.C.

**ENTER:**