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Yankwitt LLP Obtains Summary Judgment for Railroad Client on All Principal Claims

Yankwitt LLP successfully moved for summary judgment on all principal claims on behalf of its client, The Clarendon and Pittsford Railroad Company (the "Railroad"), in connection with a dispute over property leased by the Railroad in Upstate New York. The Railroad sought a declaratory judgment to enforce its lease with the defendant landowner, and asserted claims for, *inter alia*, breach of contract and conversion in connection with Defendants' unlawful interference with the Railroad's use of the property. Defendants' counterclaimed for alleged interference with their property rights. In its motion, the Railroad argued that the lease was valid and enforceable, that Defendants' purported termination of the lease after a failure to give the Railroad a meaningful opportunity to cure any alleged defects constituted a breach of contract, and that Defendants' intentional interference with the Railroad's possessory rights under the lease constituted conversion. On June 5, 2017, the United States District Court for the Northern District of New York (Thomas J. McAvoy, J.) agreed, giving no credence to Defendants' arguments in opposition, and granted summary judgment in favor of the Railroad on its declaratory judgment, breach of contract and conversion claims, while dismissing Defendants' counterclaims. A trial will be scheduled to determine the Railroad's damages. The case is *The Clarendon and Pittsford Railroad Company v. Fernet Forest Products, LLC et al.*, Case No. 1:15-CV-1535 (TJM).