

# **EXHIBIT B**

# *State of New York*

## *Court of Appeals*

*Decided and Entered on the  
twentieth day of April, 2023*

**Present**, Hon. Rowan D. Wilson, *Chief Judge, presiding.*

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SSD 18  
In the Matter of Call-A-Head Portable Toilets,  
Inc., et al.,  
Appellants,  
v.  
New York State Department of Environmental  
Conservation, et al.,  
Respondents.

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Appellants having appealed to the Court of Appeals in the above title;

Upon the papers filed and due deliberation, it is

ORDERED, that the appeal is dismissed without costs, by the Court *sua sponte*,  
upon the ground that no substantial constitutional question is directly involved.

Judge Halligan took no part.

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Lisa LeCours  
Clerk of the Court