

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

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CA 06-02339

PRESENT: HURLBUTT, J.P., GORSKI, FAHEY, PERADOTTO, AND GREEN, JJ.

DAVID W. JONES, PLAINTIFF-APPELLANT,

V

ORDER

ERIE INSURANCE COMPANY, DEFENDANT-RESPONDENT.

DE FRANCISCO LAW FIRM, SYRACUSE (CHARLES L. FALGIATANO OF COUNSEL),
FOR PLAINTIFF-APPELLANT.

RICHARD P. PLOCHOCKI, SYRACUSE, FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Onondaga County
(Thomas J. Murphy, J.), entered December 15, 2005 in a breach of
contract action. The order denied plaintiff's motion to set aside the
jury verdict.

It is hereby ORDERED that the order so appealed from be and the
same hereby is unanimously affirmed without costs for reasons stated
in decision at Supreme Court.

Entered: March 16, 2007

JOANN M. WAHL
Clerk of the Court