

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

851

CA 09-02246

PRESENT: MARTOCHE, J.P., FAHEY, CARNI, SCONIERS, AND GREEN, JJ.

JANICE M. STOJEK, PLAINTIFF-APPELLANT,

V

ORDER

CLEAR-ALL, DEFENDANT-RESPONDENT.

THE COSGROVE LAW FIRM, BUFFALO (EDWARD C. COSGROVE OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

BRIAN P. FITZGERALD, P.C., BUFFALO (DEREK ROLLER OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered July 1, 2009 in a personal injury action. The order granted defendant's motion for summary judgment and dismissed the complaint.

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

Entered: June 11, 2010

Patricia L. Morgan
Clerk of the Court