

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

936

CA 09-02510

PRESENT: SCUDDER, P.J., MARTOCHE, PERADOTTO, GREEN, AND GORSKI, JJ.

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DAVID U. ROBINSON AND ALZADAR ROBINSON,  
PLAINTIFFS-APPELLANTS,

V

ORDER

NATIONAL VACUUM CORP., DEFENDANT.

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BROADSPIRE SERVICES, INC., RESPONDENT.  
(APPEAL NO. 3.)

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LAW OFFICE OF J. MICHAEL HAYES, BUFFALO (J. MICHAEL HAYES OF COUNSEL),  
FOR PLAINTIFFS-APPELLANTS.

WILLIAMS & WILLIAMS, BUFFALO (JARED L. GARLIPP OF COUNSEL), FOR  
RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Rose H. Sconiers, J.), entered October 8, 2009. The order denied the motion of plaintiffs to sever Workers' Compensation claims from their personal injury action.

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: October 1, 2010

Patricia L. Morgan  
Clerk of the Court