

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

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CA 22-01248

PRESENT: PERADOTTO, J.P., CURRAN, OGDEN, AND GREENWOOD, JJ.

MICHELLE BURNS AND RICHARD S. BURNS, JR.,
PLAINTIFFS-APPELLANTS,

V

ORDER

CONCRETE APPLIED TECHNOLOGIES CORPORATION
(CATCO), DEFENDANT-RESPONDENT,
ET AL., DEFENDANTS.
(APPEAL NO. 1.)

STEPHEN R. FOLEY, LLC, BUFFALO (ZACHARY S. DRAGONETTE OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

BURDEN, HAFNER & HANSEN, LLC, BUFFALO (SARAH HANSEN OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered February 8, 2022. The order granted the cross-motion of defendant Concrete Applied Technologies Corporation (CATCO) for summary judgment.

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: April 28, 2023

Ann Dillon Flynn
Clerk of the Court