

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

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CA 22-01251

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

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

V

ORDER

FOIT-ALBERT ASSOCIATES, ARCHITECTURE, ENGINEERING
AND LAND SURVEYING, P.C., DEFENDANT-RESPONDENT,
ET AL., DEFENDANTS.
(APPEAL NO. 3.)

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

SUGARMAN LAW FIRM, LLP, BUFFALO (MARINA A. MURRAY 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 motion of defendant Foit-Albert Associates, Architecture, Engineering and Land Surveying, P.C. 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