

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

963

CA 17-00391

PRESENT: WHALEN, P.J., SMITH, CENTRA, PERADOTTO, AND CARNI, JJ.

DIAMOND ROOFING CO., INC., PLAINTIFF-RESPONDENT,

V

ORDER

PCL PROPERTIES, LLC, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

COSTELLO, COONEY & FEARON, PLLC, SYRACUSE (NICOLE MARLOW-JONES OF
COUNSEL), FOR DEFENDANT-APPELLANT.

LONGSTREET & BERRY, LLP, FAYETTEVILLE (MICHAEL J. LONGSTREET OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Onondaga County
(Anthony J. Paris, J.), entered November 15, 2016. The order denied
the motion of defendant to reargue.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs (*see Empire Ins. Co. v Food City*, 167 AD2d 983, 984).

Entered: September 29, 2017

Mark W. Bennett
Clerk of the Court