

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

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**CA 18-01210**

PRESENT: CENTRA, J.P., PERADOTTO, CARNI, LINDLEY, AND TROUTMAN, JJ.

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IN THE MATTER OF JAMES TOMASO,  
PETITIONER-RESPONDENT,

V

ORDER

LBR ENTERPRISES, LLC, AND MICHAEL J. ROBERTSON,  
RESPONDENTS-APPELLANTS.

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KARL E. MANNE, HERKIMER, FOR RESPONDENTS-APPELLANTS.

NORMAN L. MASTROMORO, LITTLE FALLS, FOR PETITIONER-RESPONDENT.

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Appeal from an order of the Herkimer County Court (John H. Crandall, J.), entered April 18, 2018. The order affirmed in part a judgment (denominated order) of the Little Falls City Court (Joy A. Malone, J.) dated December 7, 2017.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Entered: February 8, 2019

Mark W. Bennett  
Clerk of the Court