

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

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**CA 21-01464**

PRESENT: WHALEN, P.J., NEMOYER, CURRAN, BANNISTER, AND MONTOUR, JJ.

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MICHAEL J. TARSEL AND SUZANNE M. TARSEL,  
PLAINTIFFS-RESPONDENTS,

V

ORDER

JAMES J. TROMBINO, DEFENDANT-APPELLANT.

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PULLANO & FARROW, ROCHESTER (MALLORY K. SMITH OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

SMITH, SOVIK, KENDRICK & SUGNET, P.C., SYRACUSE (KAREN G. FELTER OF  
COUNSEL), FOR PLAINTIFFS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Oneida County  
(Bernadette T. Clark, J.), entered September 30, 2021. The order,  
inter alia, ordered defendant to pay punitive damages to plaintiffs in  
an amount to be determined after discovery and a hearing.

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: November 10, 2022

Ann Dillon Flynn  
Clerk of the Court