

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

870

CA 22-01369

PRESENT: SMITH, J.P., BANNISTER, OGDEN, GREENWOOD, AND DELCONTE, JJ.

JILL G. MEISSNER, AS THE EXECUTOR OF THE
ESTATE OF WAYNE W. MEISSNER, DECEASED, AND
INDIVIDUALLY, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

RIDGE CONSTRUCTION CORPORATION, ET AL.,
DEFENDANTS,
AND CERTAIN UNDERWRITERS AT LLOYD'S, LONDON,
DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

GOLDBERG SEGALLA LLP, BUFFALO (MEGHAN M. BROWN OF COUNSEL), AND MENDES
& MOUNT LLP, NEW YORK CITY, FOR DEFENDANT-APPELLANT.

LIPSITZ, PONTERIO & COMERFORD, LLC, BUFFALO (JOHN N. LIPSITZ OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered July 18, 2022. The order, inter alia, awarded plaintiff damages against defendant Certain Underwriters at Lloyd's, London.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same memorandum as in *Meissner v Ridge Constr. Corp.* ([appeal No. 1] – AD3d – [Mar. 15, 2024] [4th Dept 2024]).

Entered: March 15, 2024

Ann Dillon Flynn
Clerk of the Court