

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

718

CA 12-02400

PRESENT: SMITH, J.P., FAHEY, CARNI, VALENTINO, AND WHALEN, JJ.

ALICIA M. FLATTS, PLAINTIFF-APPELLANT,

V

ORDER

VIRGINIA D. RODRIGUEZ, DEFENDANT-RESPONDENT,
ET AL., DEFENDANT.

LIPPES & LIPPES, BUFFALO (RICHARD J. LIPPES OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

KENNEY SHELTON LIPTAK NOWAK, LLP, BUFFALO (THOMAS A. DIGATI OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered February 27, 2012. The order granted the motion of defendant Virginia D. Rodriguez for summary judgment and dismissed the complaint.

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

Entered: June 7, 2013

Frances E. Cafarell
Clerk of the Court