

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

524

CA 13-01972

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

JAMES M. HELD, ET AL., PLAINTIFFS,

V

ORDER

THE PIKE COMPANY, ET AL., DEFENDANTS.

THE PIKE COMPANY, AMTHOR STEEL, INC. AND
CATHOLIC HEALTH SYSTEM, INC., THIRD-PARTY
PLAINTIFFS-RESPONDENTS,

V

CME ASSOCIATES, INC., THIRD-PARTY
DEFENDANT-APPELLANT.

GOERGEN, MANSON & MCCARTHY, BUFFALO (JOSEPH G. GOERGEN, II, OF
COUNSEL), FOR THIRD-PARTY DEFENDANT-APPELLANT.

PILLINGER MILLER TARALLO, LLP, ELMSFORD (JEFFREY D. SCHULMAN OF
COUNSEL), FOR THIRD-PARTY PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered January 14, 2013. The order, among other things, denied the motion of third-party defendant for summary judgment dismissing the amended third-party complaint.

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: May 2, 2014

Frances E. Cafarell
Clerk of the Court