

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

763

CA 15-02103

PRESENT: WHALEN, P.J., SMITH, NEMOYER, CURRAN, AND SCUDDER, JJ.

---

MARIA CARRIER, AS EXECUTRIX OF THE ESTATE OF  
SHIRLEY IANNARILLI, DECEASED,  
PLAINTIFF-APPELLANT,

V

ORDER

CORNING AMBULANCE SERVICE, INC., DOING BUSINESS  
AS RURAL METRO MEDICAL SERVICES, ET AL.,  
DEFENDANTS,  
HORNBY VOLUNTEER FIRE COMPANY, INC., ALBERT  
ALLEN, A VOLUNTEER FIREFIGHTER WITH HORNBY  
VOLUNTEER FIRE COMPANY, INC., CHRISTOPHER  
VANDUSEN, A VOLUNTEER FIREFIGHTER WITH HORNBY  
VOLUNTEER FIRE COMPANY, INC., BREANNA TAGGART,  
A VOLUNTEER FIREFIGHTER WITH HORNBY VOLUNTEER  
FIRE COMPANY, INC., NORTH CORNING VOLUNTEER FIRE  
DEPARTMENT, INC., ADAM NEHRING, A VOLUNTEER  
FIREFIGHTER WITH NORTH CORNING VOLUNTEER FIRE  
DEPARTMENT, INC., JON HEVERLY, A VOLUNTEER  
FIREFIGHTER WITH NORTH CORNING VOLUNTEER FIRE  
DEPARTMENT, INC., DAVID WYRE, A VOLUNTEER  
FIREFIGHTER WITH NORTH CORNING VOLUNTEER FIRE  
DEPARTMENT, INC., AND AMANDA NEHRING, A VOLUNTEER  
FIREFIGHTER WITH NORTH CORNING VOLUNTEER FIRE  
DEPARTMENT, INC., DEFENDANTS-RESPONDENTS.

---

THE LAW OFFICE OF DAVID H. JACOBS, CORNING (DAVID H. JACOBS OF  
COUNSEL), FOR PLAINTIFF-APPELLANT.

SUGARMAN LAW FIRM, LLP, SYRACUSE (PAUL V. MULLIN OF COUNSEL), FOR  
DEFENDANTS-RESPONDENTS HORNBY VOLUNTEER FIRE COMPANY, INC., ALBERT  
ALLEN, A VOLUNTEER FIREFIGHTER WITH HORNBY VOLUNTEER FIRE COMPANY,  
INC., CHRISTOPHER VANDUSEN, A VOLUNTEER FIREFIGHTER WITH HORNBY  
VOLUNTEER FIRE COMPANY, INC., AND BREANNA TAGGART, A VOLUNTEER  
FIREFIGHTER WITH HORNBY VOLUNTEER FIRE COMPANY, INC.

COUGHLIN & GERHART, LLP, BINGHAMTON (KEITH A. O'HARA OF COUNSEL), FOR  
DEFENDANTS-RESPONDENTS NORTH CORNING VOLUNTEER FIRE DEPARTMENT, INC.,  
ADAM NEHRING, A VOLUNTEER FIREFIGHTER WITH NORTH CORNING VOLUNTEER  
FIRE DEPARTMENT, INC., JON HEVERLY, A VOLUNTEER FIREFIGHTER WITH NORTH  
CORNING VOLUNTEER FIRE DEPARTMENT, INC., DAVID WYRE, A VOLUNTEER  
FIREFIGHTER WITH NORTH CORNING VOLUNTEER FIRE DEPARTMENT, INC., AND  
AMANDA NEHRING, A VOLUNTEER FIREFIGHTER WITH NORTH CORNING VOLUNTEER  
FIRE DEPARTMENT, INC.

---

Appeal from an order of the Supreme Court, Steuben County (Joseph W. Latham, A.J.), entered March 9, 2015. The order, among other things, granted the motions of defendants-respondents for summary judgment dismissing plaintiff's third amended complaint against them.

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: September 30, 2016

Frances E. Cafarell  
Clerk of the Court