

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

927

CA 16-00263

PRESENT: PERADOTTO, J.P., LINDLEY, NEMOYER, AND SCUDDER, JJ.

POMCO, INC., PLAINTIFF-APPELLANT,

V

ORDER

HEALTHEDGE SOFTWARE, INC., DEFENDANT-RESPONDENT.

EDWARD E. KOPKO, LAWYER, P.C., ITHACA (EDWARD E. KOPKO OF COUNSEL),
FOR PLAINTIFF-APPELLANT.

MENTER, RUDIN & TRIVELPIECE, P.C., SYRACUSE (MITCHELL J. KATZ OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered August 10, 2015. The order, *inter alia*, granted that part of defendant's motion for partial summary judgment dismissing the seventh cause of action for specific performance and denied plaintiff's cross motion.

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, 2016

Frances E. Cafarell
Clerk of the Court