

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

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CA 16-01731

PRESENT: WHALEN, P.J., SMITH, CENTRA, AND SCUDDER, JJ.

CATHERINE SCHRAUTH FORCUCCI, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

BOARD OF EDUCATION OF HAMBURG CENTRAL SCHOOL
DISTRICT, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

HODGSON RUSS LLP, BUFFALO (PATRICK J. HINES OF COUNSEL), FOR
DEFENDANT-APPELLANT.

MARGARET A. MURPHY, ORCHARD PARK, FOR PLAINTIFF-RESPONDENT.

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered March 11, 2016. The order and judgment, inter alia, denied defendant's cross motion seeking leave to amend its answer to assert as a defense that plaintiff lacks standing.

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

Same memorandum as in *Forcucci v Board of Educ. of Hamburg Cent. Sch. Dist.* ([appeal No. 1] ___ AD3d ___ [June 9, 2017]).

Entered: June 9, 2017

Frances E. Cafarell
Clerk of the Court