

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

**623**

**CA 16-00459**

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

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GREGORY G. GUZEK, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

B & L WHOLESALE SUPPLY, INC., AND ROBERT D.  
PATKALITSKY, DEFENDANTS-RESPONDENTS.  
(APPEAL NO. 2.)

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MARTIN J. ZUFFRANIERI, WILLIAMSVILLE, FOR PLAINTIFF-APPELLANT.

LAW OFFICES OF JOHN WALLACE, BUFFALO (LEO T. FABRIZI OF COUNSEL), FOR  
DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered December 21, 2015. The order denied plaintiff's posttrial motion to set aside the jury verdict.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same memorandum as in *Guzek v B & L Wholesale Supply, Inc.* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [June 9, 2017]).

Entered: June 9, 2017

Frances E. Cafarell  
Clerk of the Court