

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

507

CA 16-01348

PRESENT: SMITH, J.P., CARNI, DEJOSEPH, NEMOYER, AND TROUTMAN, JJ.

MICHAEL A. SERRANO, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

THOMAS A. GILRAY, JR., ET AL., DEFENDANTS,
AND CENTRAL TERMINAL RESTORATION CORPORATION,
DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

GOLDBERG SEGALLA LLP, BUFFALO, MAURO LILLING NAPARTY LLP, WOODBURY
(SETH M. WEINBERG OF COUNSEL), FOR DEFENDANT-APPELLANT.

AUGELLO & MATTELIANO, LLP, BUFFALO (JOSEPH A. MATTELIANO OF COUNSEL),
FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered June 15, 2016. The order, among other things, denied in part the motion of defendant Central Terminal Restoration Corporation for summary judgment dismissing the complaint against it.

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

Same memorandum as in *Sheehan v Gilray* ([appeal No. 1] ___ AD3d ___ [July 7, 2017]).

Entered: July 7, 2017

Frances E. Cafarell
Clerk of the Court