

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

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CA 16-02203

PRESENT: SMITH, J.P., DEJOSEPH, NEMOYER, AND WINSLOW, JJ.

JOSEPH A. RAIMONDI AND LISA M. RAIMONDI,
PLAINTIFFS-RESPONDENTS,

V

ORDER

JOSEPH C. FLASK, THE QUIKRETE COMPANIES, INC.,
PENSKE TRUCK LEASING CO., L.P., AND IDEALEASE
OF CENTRAL NEW YORK, LLC, DEFENDANTS-APPELLANTS.

HURWITZ & FINE, P.C., BUFFALO (MICHAEL F. PERLEY OF COUNSEL), FOR
DEFENDANTS-APPELLANTS JOSEPH C. FLASK AND THE QUIKRETE COMPANIES, INC.

SUGARMAN LAW FIRM, LLP, BUFFALO (MICHAEL A. RIEHLER OF COUNSEL), FOR
DEFENDANT-APPELLANT PENSKE TRUCK LEASING CO., L.P.

KENNEY SHELTON LIPTAK NOWAK LLP, BUFFALO (MELISSA A. FOTI OF COUNSEL),
FOR DEFENDANT-APPELLANT IDEALEASE OF CENTRAL NEW YORK, LLC.

GELBER & O'CONNELL, LLC, AMHERST (TIMOTHY G. O'CONNELL OF COUNSEL),
FOR PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered September 7, 2016. The order, among other things, struck most of defendants' affirmative defenses.

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

Entered: February 2, 2018

Mark W. Bennett
Clerk of the Court