

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

138

**CA 17-00798**

PRESENT: WHALEN, P.J., SMITH, LINDLEY, DEJOSEPH, AND CURRAN, JJ.

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MAXIMUM INCOME PARTNERS, INC.,  
PLAINTIFF-APPELLANT,

V

ORDER

CARL E. WEBBER, ET AL., DEFENDANTS,  
MARIO CURCIO AND NICOLE CURCIO,  
DEFENDANTS-RESPONDENTS.  
(APPEAL NO. 1.)

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SILVER & FELDMAN, ROCHESTER (MICHAEL A. ROSENHOUSE OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

PHETERSON SPATORICO LLP, ROCHESTER (DERRICK A. SPATORICO OF COUNSEL),  
FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered October 3, 2016. The order denied the motion of plaintiff for leave to renew and/or reargue its prior motion for summary judgment.

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: February 2, 2018

Mark W. Bennett  
Clerk of the Court