

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

425

CA 17-01826

PRESENT: WHALEN, P.J., SMITH, PERADOTTO, CARNI, AND DEJOSEPH, JJ.

HENDERSON HARBOR MARINERS' MARINA, INC., AND
MARLA COHEN, PLAINTIFFS-RESPONDENTS,

V

ORDER

I.F.S. LISBON, ET AL., DEFENDANTS,
AND UPSTATE NATIONAL BANK, DEFENDANT-APPELLANT.

BARCLAY DAMON LLP, SYRACUSE (ALAN R. PETERMAN OF COUNSEL), FOR
DEFENDANT-APPELLANT.

AMDURSKY, PELKY, FENNELL AND WALLEN, P.C., OSWEGO (TIMOTHY J. FENNELL
OF COUNSEL), FOR PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Onondaga County
(Anthony J. Paris, J.), dated January 6, 2017. The order, among other
things, denied in part the motion of defendant Upstate National Bank
for summary judgment.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs (see *Hughes v Nussbaumer, Clarke & Velzy*, 140 AD2d 988,
988 [4th Dept 1988]; *Chase Manhattan Bank, N.A. v Roberts & Roberts*,
63 AD2d 566, 567 [1st Dept 1978]; see also CPLR 5501 [a] [1]).

Entered: March 16, 2018

Mark W. Bennett
Clerk of the Court