

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

1211

CA 18-00808

PRESENT: WHALEN, P.J., SMITH, CENTRA, NEMOYER, AND CURRAN, JJ.

CHRISTOPHER WATT, K&W ENTERPRISES AND KAREN D.
WATT, PLAINTIFFS-APPELLANTS,

V

ORDER

TOWN OF GAINES, CAROL C. CULHANE, SUPERVISOR,
JAMES KIRBY, COUNCILPERSON, SUSAN SMITH,
COUNCILPERSON, AND CAROL C. CULHANE, INDIVIDUALLY,
DEFENDANTS-RESPONDENTS.

FRANK A. ALOI, ROCHESTER, FOR PLAINTIFFS-APPELLANTS.

WEBSTER SZANYI LLP, BUFFALO (JEREMY A. COLBY OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered July 5, 2017. The order granted the motion of defendants to dismiss the complaint.

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: November 9, 2018

Mark W. Bennett
Clerk of the Court