

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

936

CA 17-00033

PRESENT: CENTRA, J.P., PERADOTTO, CARNI, CURRAN, AND WINSLOW, JJ.

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TRAVIS M. BRAUN, PLAINTIFF-RESPONDENT,

V

ORDER

CHRISTOPHER J. CESAREO, MEDTRONIC, INC., AND  
MEDTRONIC USA, INC., DEFENDANTS-APPELLANTS.  
(APPEAL NO. 3.)

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GREENBERG TRAURIG LLP, NEW YORK CITY (NOAH A. LEVINE OF COUNSEL), AND  
WOODS OVIATT GILMAN LLP, ROCHESTER, FOR DEFENDANTS-APPELLANTS.

FARACI LANGE, LLP, ROCHESTER (STEPHEN G. SCHWARZ OF COUNSEL), AND  
MICHAEL G. COOPER, HAMBURG, FOR PLAINTIFF-RESPONDENT.

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Appeal from an amended order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered June 8, 2016. The amended order, among other things, awarded plaintiff money damages for past pain and suffering, future pain and suffering, future medical expenses, and future lost wages.

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 15, 2019

Mark W. Bennett  
Clerk of the Court