

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

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CA 18-01736

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, TROUTMAN, AND WINSLOW, JJ.

RICHARD INFARINATO,
PLAINTIFF-APPELLANT-RESPONDENT,

V

ORDER

ROCHESTER TELEPHONE CORPORATION, ET AL.,
DEFENDANTS,
AND FRONTIER TELEPHONE OF ROCHESTER, INC., AS
SUCCESSOR IN INTEREST TO ROCHESTER TELEPHONE
CORPORATION, DEFENDANT-RESPONDENT-APPELLANT.

CHENEY & BLAIR, LLP, GENEVA (DAVID D. BENZ OF COUNSEL), FOR
PLAINTIFF-APPELLANT-RESPONDENT.

THE GLENNON LAW FIRM, P.C., ROCHESTER (CRAIG D. PETERSON OF COUNSEL),
FOR DEFENDANT-RESPONDENT-APPELLANT.

Appeal and cross appeal from an order of the Supreme Court,
Monroe County (Matthew A. Rosenbaum, J.), entered February 8, 2018.
The order, among other things, denied the motion of plaintiff for
partial summary judgment and denied the cross motion of defendant
Frontier Telephone of Rochester, Inc., as successor in interest to
Rochester Telephone Corporation, 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: April 26, 2019

Mark W. Bennett
Clerk of the Court