

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

218

CA 18-01893

PRESENT: WHALEN, P.J., CENTRA, DEJOSEPH, CURRAN, AND WINSLOW, JJ.

MARK HOGAN AND ELIZABETH HOGAN, INDIVIDUALLY,
AND AS PARENTS AND NATURAL GUARDIANS OF JACK A.
HOGAN, AN INFANT, AND ITHACA G. HOGAN, AN INFANT,
PLAINTIFFS-APPELLANTS,

V

MEMORANDUM AND ORDER

DAVID VANDEWATER, FRANK P. ROSE, DEFENDANTS,
AND GINA NICOLETTI, DEFENDANT-RESPONDENT.
(APPEAL NO. 3.)

BOSMAN LAW FIRM, LLC, ROME (A.J. BOSMAN OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

BARCLAY DAMON LLP, ROCHESTER (KELSEY TILL THOMPSON OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from a judgment of the Supreme Court, Lewis County (James P. McClusky, J.), entered May 5, 2017. The judgment, among other things, dismissed plaintiffs' complaint against defendant Gina Nicoletti.

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed without costs.

Same memorandum as in *Hogan v Vandewater* ([appeal No. 1] – AD3d – [May 3, 2019] [4th Dept 2019]).

Entered: May 3, 2019

Mark W. Bennett
Clerk of the Court