

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

**433**

**CA 18-01720**

PRESENT: PERADOTTO, J.P., DEJOSEPH, NEMOYER, AND CURRAN, JJ.

---

ROBERTA MCCULLOCH, PLAINTIFF-APPELLANT,

V

ORDER

NEW YORK CENTRAL MUTUAL INSURANCE COMPANY,  
DEFENDANT-RESPONDENT.  
(APPEAL NO. 2.)

---

BROWN CHIARI LLP, BUFFALO (TIMOTHY M. HUDSON OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

RUPP BAASE PFALZGRAF CUNNINGHAM LLC, BUFFALO (MATTHEW A. LENHARD OF  
COUNSEL), FOR DEFENDANT-RESPONDENT.

---

Appeal from a judgment of the Supreme Court, Niagara County  
(Frank Caruso, J.), entered April 17, 2018. The judgment dismissed  
the complaint upon a jury verdict of no cause of action.

It is hereby ORDERED that said appeal is unanimously dismissed  
without costs (*see RES Exhibit Servs., LLC v Genesis Vision, Inc.*  
[appeal No. 3], 155 AD3d 1515, 1517 [4th Dept 2017]).

Entered: August 22, 2019

Mark W. Bennett  
Clerk of the Court