

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

727

CA 18-02015

PRESENT: WHALEN, P.J., PERADOTTO, CARNI, LINDLEY, AND CURRAN, JJ.

SUZANNE P., ADMINISTRATRIX OF THE ESTATE OF
MITCHELL P., DECEASED, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

JOINT BOARD OF DIRECTORS OF ERIE-WYOMING COUNTY
SOIL CONSERVATION DISTRICT, ALSO KNOWN AS
ERIE-WYOMING JOINT WATERSHED BOARD, ET AL.,
DEFENDANTS,
AND COUNTY OF ERIE, DEFENDANT-RESPONDENT.
(APPEAL NO. 5.)

PAUL WILLIAM BELTZ, P.C., BUFFALO (WILLIAM A. QUINLAN OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

MICHAEL A. SIRAGUSA, COUNTY ATTORNEY, BUFFALO (JEREMY C. TOTH OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered October 10, 2018. The order granted the motion of defendant County of Erie for leave to reargue and, upon reargument, granted the motion of defendant County of Erie for summary judgment.

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

Same memorandum as in *Suzanne P. v Joint Bd. of Directors of Erie-Wyoming County Soil Conservation Dist.* ([appeal No. 1] – AD3d – [Aug. 22, 2019] [4th Dept 2019]).

Entered: August 22, 2019

Mark W. Bennett
Clerk of the Court