

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

1110

CA 19-00705

PRESENT: CENTRA, J.P., LINDLEY, NEMOYER, CURRAN, AND WINSLOW, JJ.

BUSH INDUSTRIES, INC., PLAINTIFF-RESPONDENT,

V

ORDER

SLONE MELHUISE & CO., ET AL., DEFENDANTS,
AND WILLIS OF NEW YORK, INC., AS SUCCESSOR
BY MERGER TO KALVIN-MILLER HOLDINGS, LLC,
AS SUCCESSOR BY MERGER TO HILB ROGAL & HOBBS
OF UPSTATE NEW YORK, LLC, FORMERLY KNOWN AS
HILB ROGAL AND HAMILTON COMPANY OF UPSTATE
NEW YORK, LLC, AS SUCCESSOR BY MERGER TO HILB
ROGAL AND HAMILTON COMPANY OF UPSTATE NEW
YORK, INC., DEFENDANT-APPELLANT.

STROOCK & STROOCK & LAVAN LLP, NEW YORK CITY (CHARLES G. MOERDLER OF
COUNSEL), FOR DEFENDANT-APPELLANT.

DUKE HOLZMAN PHOTIADIS & GRESENS LLP, BUFFALO (THOMAS D. LYONS OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered April 10, 2019. The order denied the motion of defendant-appellant to dismiss plaintiff's second amended complaint against it.

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

Entered: November 8, 2019

Mark W. Bennett
Clerk of the Court