

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

161.1

CA 19-00284

PRESENT: WHALEN, P.J., CURRAN, TROUTMAN, WINSLOW, AND BANNISTER, JJ.

ANDREW FAGAN, PLAINTIFF-RESPONDENT,

V

ORDER

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,
ET AL., DEFENDANTS,
AND DANIEL M. HAWRYLCZAK, DEFENDANT-APPELLANT.

LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (PATRICK J. MACKEY OF
COUNSEL), FOR DEFENDANT-APPELLANT.

RAMOS & RAMOS, BUFFALO (JOSHUA I. RAMOS OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Paul Wojtaszek, J.), entered January 11, 2019. The order, among other things, denied that part of the motion of defendant Daniel M. Hawrylczak seeking to dismiss the first and third causes of action in the amended complaint.

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

Entered: January 31, 2020

Mark W. Bennett
Clerk of the Court