

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

714

CA 19-01087

PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, TROUTMAN, AND DEJOSEPH, JJ.

PATTI ANN JANKOWSKI, PLAINTIFF-RESPONDENT,

V

ORDER

RP EXCAVATING & LANDSCAPING, INC., AND
DENASA EXCAVATION, INC., DEFENDANTS-APPELLANTS.

NASH CONNORS, P.C., BUFFALO (ANDREW J. KOWALEWSKI OF COUNSEL), FOR
DEFENDANT-APPELLANT RP EXCAVATING & LANDSCAPING, INC.

CHELUS, HERDZIK, SPEYER & MONTE, P.C., BUFFALO (DANIEL J. CERCONE OF
COUNSEL), FOR DEFENDANT-APPELLANT DENASA EXCAVATION, INC.

LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (JOHN A. COLLINS OF COUNSEL),
FOR PLAINTIFF-RESPONDENT.

Appeals from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered May 20, 2019. The order denied the motions of defendants for summary judgment.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: July 17, 2020

Mark W. Bennett
Clerk of the Court