

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

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CA 19-00833

PRESENT: CARNI, J.P., LINDLEY, NEMOYER, TROUTMAN, AND DEJOSEPH, JJ.

TOWN OF WEST SENECA, PLAINTIFF-APPELLANT,

V

ORDER

LOUIS DESIGN SOLUTIONS ARCHITECTURE, LLC,
FORMERLY KNOWN AS LOUIS DESIGN GROUP,
DEFENDANT-RESPONDENT.
(APPEAL NO. 2.)

ERNSTROM & DRESTE, LLP, ROCHESTER (MATTHEW D. HOLMES OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

BURGIO, CURVIN & BANKER, BUFFALO (HILARY C. BANKER OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered April 22, 2019. The order and judgment revised a prior order and judgment granting defendant's motion to dismiss the complaint.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see *Town of W. Seneca v Kideney Architects, P.C.* ([appeal No. 1] – AD3d – [Oct. 2, 2020] [4th Dept 2020])).

Entered: October 2, 2020

Mark W. Bennett
Clerk of the Court