

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

1186

CA 20-00755

PRESENT: CARNI, J.P., LINDLEY, CURRAN, WINSLOW, AND DEJOSEPH, JJ.

FIRST CITIZENS COMMUNITY BANK,
PLAINTIFF-RESPONDENT,

V

ORDER

DAVID L. FLEET AND TRACY L. FLEET,
DEFENDANTS-APPELLANTS.

ROTHENBERG LAW, ROCHESTER (DAVID ROTHENBERG OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

PHILLIPS LYTTLE LLP, BUFFALO (JEFFREY D. COREN OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered June 5, 2020. The order and judgment granted the motion of plaintiff for leave to reargue and, upon reargument, denied the cross motion of defendants for summary judgment and granted the motion of plaintiff for summary judgment.

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

Entered: December 23, 2020

Mark W. Bennett
Clerk of the Court