

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

518

**CA 19-01990**

PRESENT: WHALEN, P.J., SMITH, CARNI, NEMOYER, AND CURRAN, JJ.

---

JOSEPH VENDETTI, PLAINTIFF-RESPONDENT,

V

ORDER

STEPHEN ZYWIAK, MICHAEL SHAMMA, BRIAN HOFFMAN,  
KATHLEEN FREDERICK, DEFENDANTS-APPELLANTS,  
ET AL., DEFENDANTS.  
(APPEAL NO. 2.)

---

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (FREDERICK A. BRODIE OF  
COUNSEL), FOR DEFENDANTS-APPELLANTS.

BOSMAN LAW, LLC, BLOSSVALE (A.J. BOSMAN OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

---

Appeal from an order of the Supreme Court, Oneida County  
(Bernadette T. Clark, J.), entered December 10, 2018. The order  
awarded attorneys' fees to plaintiff.

It is hereby ORDERED that said appeal is unanimously dismissed  
without costs (*see Smith v Catholic Med. Ctr. of Brooklyn & Queens*,  
155 AD2d 435, 435 [2d Dept 1989]; CPLR 5501 [a] [1]).

Entered: February 5, 2021

Mark W. Bennett  
Clerk of the Court