

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

1117

CA 19-01794

PRESENT: WHALEN, P.J., CENTRA, LINDLEY, CURRAN, AND BANNISTER, JJ.

ANDREW SOLECKI AND DEBORAH SOLECKI,
PLAINTIFFS-RESPONDENTS,

V

MEMORANDUM AND ORDER

OAKWOOD CEMETERY ASSOCIATION, DEFENDANT-RESPONDENT,
AND WOLCOTT GRASS FARM, INC., DOING BUSINESS AS
WOLCOTT LAWN & CEMETERY MAINTENANCE,
DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

RUPP BAASE PFALZGRAF CUNNINGHAM LLC, BUFFALO (CORY J. WEBER OF
COUNSEL), FOR DEFENDANT-APPELLANT.

PAUL WILLIAM BELTZ, P.C., BUFFALO (WILLIAM A. QUINLAN OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered September 13, 2019. The order denied the motion of defendant Wolcott Grass Farm, Inc., doing business as Wolcott Lawn & Cemetery Maintenance to set aside the jury verdict and for a new trial on the issue of liability.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same memorandum as in *Solecki v Oakwood Cemetery Assn.* ([appeal No. 1] – AD3d – [Mar. 19, 2021] [4th Dept 2021]).

Entered: March 19, 2021

Mark W. Bennett
Clerk of the Court