

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

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CA 20-01257

PRESENT: WHALEN, P.J., SMITH, LINDLEY, TROUTMAN, AND WINSLOW, JJ.

ANNMARIE ENGLE AND CHRISTOPHER ENGLE,
PLAINTIFFS-APPELLANTS-RESPONDENTS,

V

ORDER

SERGI CONSTRUCTION, INC.,
DEFENDANT-RESPONDENT-APPELLANT.

CAMPBELL & ASSOCIATES, HAMBURG (JASON M. TELAAK OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS-RESPONDENTS.

HURWITZ & FINE, P.C., BUFFALO (V. CHRISTOPHER POTENZA OF COUNSEL), FOR
DEFENDANT-RESPONDENT-APPELLANT.

Appeal and cross appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered August 12, 2020. The order granted in part and denied in part the motion of defendant for summary judgment and granted in part and denied in part the cross motion of plaintiffs 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: August 26, 2021

Mark W. Bennett
Clerk of the Court