

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

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**CA 20-01624**

PRESENT: CENTRA, J.P., PERADOTTO, NEMOYER, CURRAN, AND DEJOSEPH, JJ.

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IN THE MATTER OF DONNA F. FROELICH,  
CLAIMANT-APPELLANT,

V

ORDER

SOUTH WILSON VOLUNTEER FIRE COMPANY,  
THOMAS E. WALDER, RESPONDENTS,  
AND TOWN OF WILSON, RESPONDENT-RESPONDENT.  
(APPEAL NO. 2.)

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WILLIAM MATTAR, P.C., ROCHESTER (MATTHEW J. KAISER OF COUNSEL), FOR  
CLAIMANT-APPELLANT.

GOLDBERG SEGALLA LLP, BUFFALO (CHRISTOPHER G. FLOREALE OF COUNSEL),  
FOR RESPONDENT-RESPONDENT.

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Appeal from an amended order of the Supreme Court, Niagara County (Matthew J. Murphy, III, A.J.), entered November 17, 2020. The amended order, insofar as appealed from, denied that part of the application of claimant seeking leave to serve a late notice of claim on respondent Town of Wilson.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (*see Matter of Kolasz v Levitt*, 63 AD2d 777, 779 [3d Dept 1978]).

Entered: October 1, 2021

Ann Dillon Flynn  
Clerk of the Court