

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

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CA 20-00938

PRESENT: SMITH, J.P., CARNI, NEMOYER, TROUTMAN, AND WINSLOW, JJ.

THE HARENTON HOTEL, INC., AND RANDY M. HARE,
INDIVIDUALLY AND AS AGENT FOR E. PROPERTIES, LLC,
PLAINTIFFS-APPELLANTS,

V

ORDER

VILLAGE OF WARSAW, DANIEL HURLBURT, CODE
ENFORCEMENT OFFICER, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY, AND VALERIE DUELL, VILLAGE OF
WARSAW ZONING BOARD MEMBER, INDIVIDUALLY AND IN
HER OFFICIAL CAPACITY, DEFENDANTS-RESPONDENTS.

KNAUF SHAW LLP, ROCHESTER (JONATHAN R. TANTILLO OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

LIPPMAN O'CONNOR, BUFFALO (GERARD E. O'CONNOR OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Wyoming County
(Michael M. Mohun, A.J.), entered June 18, 2020. The order granted
the motion of defendants to dismiss the complaint and dismissed the
complaint.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed without costs.

Entered: October 1, 2021

Ann Dillon Flynn
Clerk of the Court