

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

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CA 21-00513

PRESENT: CENTRA, J.P., LINDLEY, CURRAN, TROUTMAN, AND DEJOSEPH, JJ.

IN THE MATTER OF BUFFALO COLLEGIATE CHARTER
SCHOOL AND RUPP BAASE PFALZGRAF CUNNINGHAM, LLC,
PETITIONERS-RESPONDENTS-APPELLANTS,

V

ORDER

BUFFALO PUBLIC SCHOOLS, BUFFALO CITY SCHOOL
DISTRICT AND BUFFALO PUBLIC SCHOOLS BOARD OF
EDUCATION, RESPONDENTS-APPELLANTS-RESPONDENTS.

BUFFALO PUBLIC SCHOOLS, OFFICE OF GENERAL COUNSEL, BUFFALO (STEPHANIE
JOY CALHOUN OF COUNSEL), FOR RESPONDENTS-APPELLANTS-RESPONDENTS.

RUPP BAASE PFALZGRAF CUNNINGHAM LLC, BUFFALO (JILL L. YONKERS OF
COUNSEL), FOR PETITIONERS-RESPONDENTS-APPELLANTS.

Appeal and cross appeal from a judgment (denominated order) of
the Supreme Court, Erie County (Diane Y. Devlin, J.), entered March 4,
2021 in a proceeding pursuant to CPLR article 78. The judgment
granted the petition in part and denied the petition in part.

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

Entered: November 12, 2021

Ann Dillon Flynn
Clerk of the Court