

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

1005

CA 21-00774

PRESENT: CENTRA, J.P., PERADOTTO, TROUTMAN, WINSLOW, AND DEJOSEPH, JJ.

ALLEGHANY CONSTRUCTION INC., PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

CHAUTAUQUA WOODS CORP. AND SHAANT INDUSTRIES, INC.,
DEFENDANTS-APPELLANTS.
(APPEAL NO. 1.)

COTTER & COTTER, BUFFALO (DAVID B. COTTER OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

WRIGHT, WRIGHT AND HAMPTON, JAMESTOWN (JOSEPH M. CALIMERI OF COUNSEL),
FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Chautauqua County
(Lynn W. Keane, J.), entered November 25, 2020. The order granted the
motion of plaintiff for summary judgment and awarded plaintiff money
damages.

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

Same memorandum as in *Alleghany Constr. Inc. v Chautauqua Woods
Corp.* ([appeal No. 2] - AD3d - [Dec. 23, 2021] [4th Dept 2021]).

Entered: December 23, 2021

Ann Dillon Flynn
Clerk of the Court