

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

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CA 21-00753

PRESENT: PERADOTTO, J.P., LINDLEY, NEMOYER, CURRAN, AND WINSLOW, JJ.

ANNA DONISI, PLAINTIFF-RESPONDENT,

V

ORDER

JOSEPH ALLEN PRICE, DEFENDANT-RESPONDENT,
HEC B. HILTABRAND, AND WHEELER TRUCKING, INC.,
DEFENDANTS-APPELLANTS.

RUPP BAASE PFALZGRAF CUNNINGHAM LLC, BUFFALO (WILLIAM K. KENNEDY OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

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

KENNEY SHELTON LIPTAK NOWAK LLP, BUFFALO (KAYLA E. LEONARD OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Chautauqua County
(Lynn W. Keane, J.), entered April 15, 2021. The order, among other
things, struck the notices to admit of defendants Hec B. Hiltabrand
and Wheeler Trucking, Inc.

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

Entered: June 3, 2022

Ann Dillon Flynn
Clerk of the Court