

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

806

CA 21-01507

PRESENT: SMITH, J.P., PERADOTTO, CURRAN, WINSLOW, AND MONTOUR, JJ.

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NIGISTI WOLDEAB-YOHANNES, PLAINTIFF,

V

ORDER

RAIF ZENELOVIC, DEFENDANT.

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RAIF ZENELOVIC, THIRD-PARTY  
PLAINTIFF-RESPONDENT,

V

TESFAMICHAEL YOHANNES, THIRD-PARTY  
DEFENDANT-APPELLANT.

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LAW OFFICE OF DANIEL R. ARCHILLA, BUFFALO (JEFFREY C. SENDZIAK OF  
COUNSEL), FOR THIRD-PARTY DEFENDANT-APPELLANT.

BARTH CONDREN LLP, BUFFALO (BREANNA C. REILLY OF COUNSEL), FOR  
THIRD-PARTY PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered September 23, 2021. The order denied the motion of third-party defendant for summary judgment.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: November 10, 2022

Ann Dillon Flynn  
Clerk of the Court