

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

561

CA 22-01396

PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, OGDEN, AND GREENWOOD, JJ.

HAUSRATH LANDSCAPE MAINTENANCE, INC.,
PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

CARAVAN FACILITIES MANAGEMENT, LLC,
DEFENDANT-RESPONDENT.
(APPEAL NO. 1.)

MAGAVERN MAGAVERN GRIMM LLP, BUFFALO (RICHARD A. GRIMM, III, OF
COUNSEL), FOR PLAINTIFF-APPELLANT.

COLUCCI & GALLAHER, P.C., BUFFALO (PAUL G. JOYCE OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Emilio Colaiacovo, J.), entered March 16, 2022. The order granted the motion of defendant for summary judgment dismissing the complaint and denied the cross-motion of plaintiff for summary judgment.

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

Same memorandum as in *Hausrath Landscape Maintenance, Inc. v Caravan Facilities Mgt., LLC* ([appeal No. 2] – AD3d – [Aug. 11, 2023] [4th Dept 2023]).

Entered: August 11, 2023

Ann Dillon Flynn
Clerk of the Court