

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

767.2

CA 23-00476

PRESENT: SMITH, J.P., BANNISTER, MONTOUR, GREENWOOD, AND KEANE, JJ.

HARLEYSVILLE PREFERRED INSURANCE COMPANY AND
HARLEYSVILLE WORCESTER INSURANCE COMPANY, AS
SUBROGEE OF G.W.P. LLC, DOING BUSINESS AS
GATEWAY PLAZA, PLAINTIFFS-APPELLANTS,

V

ORDER

CHILDREN'S PALACE CHILDCARE CENTER, INC.,
DEFENDANT-RESPONDENT,
ET AL., DEFENDANTS.
(APPEAL NO. 2.)

HURWITZ FINE, P.C., BUFFALO (MICHAEL F. PERLEY OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (PATRICK J. MACKEY OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County
(Christopher S. Ciaccio, A.J.), entered March 2, 2023. The order
granted the motion of defendant Children's Palace Childcare Center,
Inc. 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 15, 2024

Ann Dillon Flynn
Clerk of the Court