

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

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CA 23-02103

PRESENT: SMITH, J.P., CURRAN, GREENWOOD, AND KEANE, JJ.

NEW WAVE ENERGY CORP., JOHN LUDTKA AND
NICHOLAS JERGE, PLAINTIFFS-APPELLANTS,

V

ORDER

ENERGYMARK, LLC, AND KEVIN CLOUGH,
DEFENDANTS-RESPONDENTS.

THE KNOER GROUP, PLLC, BUFFALO (ROBERT E. KNOER OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

COLLIGAN LAW LLP, BUFFALO (ERICK D. KRAEMER OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (John B. Licata, J.), entered December 5, 2023. The order granted the motion of defendants for summary judgment and denied the motion of plaintiffs for partial 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: December 20, 2024

Ann Dillon Flynn
Clerk of the Court