

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

1271

CA 18-00896

PRESENT: WHALEN, P.J., PERADOTTO, NEMOYER, CURRAN, AND TROUTMAN, JJ.

ANDREW SCHUBAUER, PLAINTIFF-RESPONDENT,

V

ORDER

2150 RECYCLING CENTER, INC., AND M&M U
PULL IT, INC., DEFENDANTS-APPELLANTS.

RUPP BAASE PFALZGRAF CUNNINGHAM LLC, BUFFALO (KEVIN J. KRUPPA OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

HOGANWILLIG, PLLC, AMHERST (SCOTT MICHAEL DUQUIN OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Timothy
J. Walker, A.J.), entered July 12, 2017. The order, among other
things, denied the motion of defendants for summary judgment.

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

Entered: November 9, 2018

Mark W. Bennett
Clerk of the Court