

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

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CA 19-01793

PRESENT: WHALEN, P.J., CENTRA, CURRAN, WINSLOW, AND BANNISTER, JJ.

CHRISTA CONSTRUCTION, LLC, PLAINTIFF-RESPONDENT,

V

ORDER

VANGUARD LIGHT GAUGE STEEL BUILDINGS, A DIVISION
OR SUBSIDIARY OF SHELTER2HOME, LLC,
DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

KUSHNICK PALLACI PLLC, BOHEMIA (JEFFREY A. LHUILLIER OF COUNSEL), FOR
DEFENDANT-APPELLANT.

ERNSTROM & DRESTE, LLP, ROCHESTER (TIMOTHY D. BOLDT OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Ontario County
(Frederick G. Reed, A.J.), entered March 7, 2019. The order awarded
plaintiff damages in the amount of \$82,270.24 plus interest from
November 26, 2014.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs (*see Hughes v Nussbaumer, Clarke & Velzy*, 140 AD2d 988,
988 [4th Dept 1988]; *Chase Manhattan Bank, N.A. v Roberts & Roberts*,
63 AD2d 566, 567 [1st Dept 1978]; *see also CPLR 5501 [a] [1]*).

Entered: March 20, 2020

Mark W. Bennett
Clerk of the Court