

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

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CA 22-01725

PRESENT: SMITH, J.P., BANNISTER, OGDEN, GREENWOOD, AND NOWAK, JJ.

COBRA INDUSTRIAL MAINTENANCE, LLC,
PLAINTIFF-RESPONDENT,

V

ORDER

COLONY INSURANCE COMPANY, DEFENDANT-APPELLANT.

LONDON FISCHER LLP, NEW YORK CITY (JAMES WALSH OF COUNSEL), FOR
DEFENDANT-APPELLANT.

KENNEY SHELTON LIPTAK NOWAK LLP, BUFFALO (AMANDA L. MACHACEK OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Niagara County (Frank A. Sedita, III, J.), entered September 19, 2022. The order denied defendant's motion seeking leave to file a second motion for summary judgment.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated at Supreme Court.

Entered: September 29, 2023

Ann Dillon Flynn
Clerk of the Court