

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

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CA 22-01409

PRESENT: WHALEN, P.J., LINDLEY, MONTOUR, GREENWOOD, AND NOWAK, JJ.

STACY A. LAMPACK AND ROBERT LAMPACK,
PLAINTIFFS-RESPONDENTS-APPELLANTS,

V

ORDER

RICHARD A. ANDREWS,
DEFENDANT-APPELLANT-RESPONDENT.

RICHARD A. ANDREWS, THIRD-PARTY
PLAINTIFF-APPELLANT-RESPONDENT,

V

LEWIS COUNTY, THIRD-PARTY
DEFENDANT-RESPONDENT-APPELLANT.

SMITH, SOVIK, KENDRICK & SUGNET, P.C., SYRACUSE (VICTOR L. PRIAL OF
COUNSEL), FOR DEFENDANT-APPELLANT-RESPONDENT AND THIRD-PARTY
PLAINTIFF-APPELLANT-RESPONDENT.

HARDING MAZZOTTI, LLP, ALBANY (PETER P. BALOUSKAS OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS-APPELLANTS.

FITZGERALD MORRIS BAKER FIRTH, P.C., GLENS FALLS (JOSHUA D. LINDY OF
COUNSEL), FOR THIRD-PARTY DEFENDANT-RESPONDENT-APPELLANT.

Appeal and cross-appeals from an order of the Supreme Court,
Lewis County (James P. McClusky, J.), entered August 2, 2022. The
order denied the motion of defendant-third-party plaintiff for summary
judgment, granted in part and denied in part the motion of third-party
defendant for summary judgment and denied the cross-motion of
plaintiffs for partial summary judgment.

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

Entered: November 17, 2023

Ann Dillon Flynn
Clerk of the Court