

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

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**CA 23-01843**

PRESENT: WHALEN, P.J., CURRAN, GREENWOOD, NOWAK, AND KEANE, JJ.

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TRACY A. HENEGHAN AND BARRY O. HENEGHAN,  
PLAINTIFFS-RESPONDENTS,

V

ORDER

CJW ELECTRIC, LLC, RAYMOND KOLLIDAS,  
ROSANNA KOLLIDAS, ET AL., DEFENDANTS-RESPONDENTS,  
AND KODIAK BUILDERS, INC., DEFENDANT-APPELLANT.

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KODIAK BUILDERS, INC., THIRD-PARTY PLAINTIFF,

V

RAYMOND KOLLIDAS AND ROSANNA KOLLIDAS,  
THIRD-PARTY DEFENDANTS.

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CHELUS, HERDZIK, SPEYER & MONTE, P.C., BUFFALO (NADIA R. BEKKER OF  
COUNSEL), FOR DEFENDANT-APPELLANT.

DUKE, HOLZMAN, PHOTIADIS & GRESENS LLP, BUFFALO (DERICK R. WHITE OF  
COUNSEL), FOR DEFENDANTS-RESPONDENTS RAYMOND KOLLIDAS AND ROSANNA  
KOLLIDAS.

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Appeal from an order of the Supreme Court, Erie County (Catherine  
R. Nugent Panepinto, J.), entered October 27, 2023. The order denied  
the motion of defendant-third-party plaintiff Kodiak Builders, Inc.  
for summary judgment dismissing the second amended complaint against  
it.

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

Entered: September 27, 2024

Ann Dillon Flynn  
Clerk of the Court