

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

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**CA 23-01412**

PRESENT: WHALEN, P.J., CURRAN, OGDEN, DELCONTE, AND HANNAH, JJ.

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WILLIAM SOJDA, PLAINTIFF-APPELLANT,

V

ORDER

E&R GENERAL CONSTRUCTION, DEFENDANT-RESPONDENT.

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DOLCE PANEPINTO, PC, BUFFALO (ANNE M. WHEELER OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

LAW OFFICES OF JOHN WALLACE, BUFFALO (JOHN WALLACE OF COUNSEL), FOR  
DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered August 17, 2023. The order granted the motion of defendant for summary judgment and denied the cross-motion of plaintiff for partial summary judgment.

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

Entered: November 15, 2024

Ann Dillon Flynn  
Clerk of the Court