

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M89880
E/sl

PETER B. SKELOS, J.P.
JOHN M. LEVENTHAL
L. PRISCILLA HALL
LEONARD B. AUSTIN, JJ.

2009-00953, 2009-03913

DECISION & ORDER ON MOTION

Patricia Benedict, et al., appellants-respondents,
v Whitman Breed Abbott & Morgan, etc., et al.,
defendants, Loius D. Amaducci, defendant-
respondent, Richard A. Piemonte, defendant
third-party plaintiff-respondent; Elena Duke
Benedict, third-party defendant-respondent-
appellant, et al., third-party defendants.

(Index No. 97-1514)


Motion by Comerica Bank, N.A., Mark F. Farrell, Lisa Abzun, Elise E. Benedict,
Diane S. Benedict, Elena Benedict Smith, Robert G. Kurzman, and Paul Sirignano for leave to file
an amicus curiae brief on appeals from two orders of the Supreme Court, Westchester County,
entered December 9, 2008, and March 26, 2009, respectively.

Upon the papers filed in support of the motion and the papers filed in opposition
thereto, it is

ORDERED that the motion is denied.

SKELOS, J.P., LEVENTHAL, HALL and AUSTIN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

July 23, 2009

BENEDICT v WHITMAN BREED ABBOTT & MORGAN