

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

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CA 08-00494

PRESENT: SMITH, J.P., CENTRA, PERADOTTO, AND GORSKI, JJ.

KATHLEEN M. SWEENEY, PLAINTIFF-APPELLANT,
ET AL., PLAINTIFF,

V

ORDER

JOAN M. LINDE, ROBERT LINDE,
DEFENDANTS-RESPONDENTS,
ET AL., DEFENDANT.
(APPEAL NO. 1.)

GIBSON, MCASKILL & CROSBY, LLP, BUFFALO (KRISTIN A. TISCI OF COUNSEL),
FOR PLAINTIFF-APPELLANT.

HISCOCK & BARCLAY, LLP, BUFFALO (BRIAN G. MANKA OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Rose H. Sconiers, J.), entered June 14, 2007 in a personal injury action. The order denied the motion of plaintiff Kathleen M. Sweeney to set aside a jury verdict.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see *Smith v Catholic Med. Ctr. of Brooklyn & Queens*, 155 AD2d 435; see also CPLR 5501 [a] [1]).

Entered: February 6, 2009

JoAnn M. Wahl
Clerk of the Court