

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

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CA 08-01631

PRESENT: SCUDDER, P.J., MARTOCHE, CENTRA, FAHEY, AND PERADOTTO, JJ.

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JACK A. CARDINELL, PLAINTIFF-APPELLANT,

V

ORDER

CHERUNDOLO, BOTTAR & LEONE, P.C., AND  
EDWARD S. LEONE, DEFENDANTS-RESPONDENTS.

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DONOHUE, SABO, VARLEY & HUTTNER, LLP, ALBANY (BRUCE S. HUTTNER OF  
COUNSEL), FOR PLAINTIFF-APPELLANT.

ROCHE, CORRIGAN, MCCOY & BUSH, PLLC, ALBANY (SCOTT W. BUSH OF  
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered January 10, 2008 in a legal malpractice action. The order denied the motion of plaintiff for partial summary judgment, granted the cross motion of defendants for summary judgment and dismissed the complaint.

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

Entered: February 6, 2009

JoAnn M. Wahl  
Clerk of the Court