

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

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CA 08-01946

PRESENT: HURLBUTT, J.P., MARTOCHE, CARNI, GREEN, AND PINE, JJ.

ARTHUR BERRY, PLAINTIFF-APPELLANT,

V

ORDER

UTICA NATIONAL INSURANCE GROUP,
DEFENDANT-RESPONDENT,
ET AL., DEFENDANTS.

MICHELLE DETRAGLIA, UTICA, FOR PLAINTIFF-APPELLANT.

STEPHEN J. RANSFORD, PLLC, SYRACUSE (STEPHEN J. RANSFORD OF COUNSEL),
FOR DEFENDANT-RESPONDENT.

Appeal from an order and judgment (one paper) of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered April 21, 2008. The order and judgment granted the motion of defendant Utica National Insurance Group to dismiss the complaint against it.

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

Entered: March 20, 2009

JoAnn M. Wahl
Clerk of the Court