

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

739

CA 08-02607

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

ROBIN ADAIR, ET AL., PLAINTIFFS-RESPONDENTS,

V

ORDER

MUNICIPAL UTILITY COMMISSION OF THE VILLAGE OF
BATH, DOING BUSINESS AS BATH ELECTRIC, GAS AND
WATER SYSTEMS, AND VILLAGE OF BATH,
DEFENDANTS-APPELLANTS.

HARRIS BEACH PLLC, PITTSFORD (EDWARD A. TREVVETT OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

NANCY E. HOFFMAN, ALBANY (PAUL S. BAMBERGER OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Steuben County
(Marianne Furfure, A.J.), entered May 5, 2008 in a breach of contract
action. The order denied defendants' motion to dismiss the complaint.

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: June 5, 2009

Patricia L. Morgan
Clerk of the Court