

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

848

CA 08-02303

PRESENT: HURLBUTT, J.P., CENTRA, PERADOTTO, CARNI, AND GORSKI, JJ.

JOHN K. SABUNCU AND DEBBIE E. SABUNCU,
PLAINTIFFS-APPELLANTS,

V

ORDER

THANEY & ASSOCIATES CPAS, P.C. AND GREGG
GENOVESE, C.P.A., DEFENDANTS-RESPONDENTS.

DIBBLE & MILLER, P.C., ROCHESTER (CRAIG D. CHARTIER OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

RICOTTA & VISCO, ATTORNEYS & COUNSELORS AT LAW, BUFFALO (BRETT GLIOSCA
OF COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Monroe County (Harold L. Galloway, J.), entered June 17, 2008 in an action for accounting malpractice and fraud. The order granted the motion of defendants to dismiss the first, third, fourth and fifth causes of action and the claim for punitive damages.

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

Entered: June 5, 2009

Patricia L. Morgan
Clerk of the Court