

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

1067

CA 08-02170

PRESENT: SMITH, J.P., CENTRA, FAHEY, CARNI, AND PINE, JJ.

DANIEL C. BRYNDLE, PLAINTIFF-APPELLANT,

V

ORDER

SAFETY-KLEEN SYSTEMS, INC.,
DEFENDANT-RESPONDENT.
(APPEAL NO. 2.)

HOGAN WILLIG, ATTORNEYS AT LAW, AMHERST (JOHN B. LICATA OF COUNSEL),
FOR PLAINTIFF-APPELLANT.

RICOTTA & VISCO, BUFFALO (K. JOHN BLAND OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered October 3, 2008 in a breach of contract action. The order, insofar as appealed from, granted defendant's motion to compel plaintiff to accept service of the amended answer.

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

Entered: October 2, 2009

Patricia L. Morgan
Clerk of the Court