

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

1372

CA 09-00261

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

IN THE MATTER OF THE ARBITRATION BETWEEN
NIAGARA FRONTIER TRANSPORTATION AUTHORITY,
PETITIONER-APPELLANT,

AND

MEMORANDUM AND ORDER

INTERNATIONAL LONGSHOREMEN'S ASSOCIATION,
LOCAL 2028, RESPONDENT-RESPONDENT.
(APPEAL NO. 2.)

DANIEL M. GREGORY, BUFFALO (WAYNE R. GRADL OF COUNSEL), FOR
PETITIONER-APPELLANT.

LAW OFFICE OF WILLIAM E. GRANDE, KENMORE (WILLIAM E. GRANDE OF
COUNSEL), FOR RESPONDENT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered January 26, 2009 in a proceeding pursuant to CPLR article 75. The order denied petitioner's motion for leave to reargue respondent's cross motion in appeal No. 1.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same Memorandum as in *Matter of Niagara Frontier Transp. Auth. (International Longshoremen's Assn., Local 2028)* ([appeal No. 1] ____ AD3d ____ [Nov. 13, 2009]).

Entered: November 13, 2009

Patricia L. Morgan
Clerk of the Court