

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

1531

CA 08-01916

PRESENT: SCUDDER, P.J., FAHEY, CARNI, AND GORSKI, JJ.

JOSEPH J. ARIENO, EVA M. NASIADKA,
PAMELA K. LARKIN-HAYES, KATHLEEN WRIGHT-BLAKE,
MARGARET ELLIS-POLK, PAMELA L. ERVIN,
ARNOLD M. LABARBERA, AND TODD E. EGGERT,
PLAINTIFFS-APPELLANTS,

V

ORDER

SWB FUNERAL SERVICES, INC., DOING BUSINESS AS
PROFETTA FUNERAL HOME CHAPEL, SCOTT W. BATIER,
DEFENDANTS-RESPONDENTS,
ET AL., DEFENDANTS.

CHARLIP LAW GROUP, LC, HOLLYWOOD, FLORIDA (DAVID H. CHARLIP OF
COUNSEL), AND REDMOND & PARRINELLO, LLP, ROCHESTER, FOR
PLAINTIFFS-APPELLANTS.

LANDMAN CORSKI BALLAINE & FORD, P.C., NEW YORK CITY (WILLIAM G.
BALLAINE OF COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Monroe County (Harold L. Galloway, J.), entered May 12, 2008. The order, insofar as appealed from, granted the motion of defendants SWB Funeral Services, Inc., doing business as Profetta Funeral Home Chapel, and Scott W. Batier for summary judgment.

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: December 30, 2009

Patricia L. Morgan
Clerk of the Court