

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

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**CA 09-01007**

PRESENT: SCUDDER, P.J., CENTRA, CARNI, AND PINE, JJ.

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ANTHONY M. CONIGLIO AND PAMELA CONIGLIO,  
PLAINTIFFS-APPELLANTS,

V

ORDER

THE ANDERSONS, INC., ET AL., DEFENDANTS,  
AND TRANSCO RAILWAY PRODUCTS, INC.,  
DEFENDANT-RESPONDENT.

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THE CAREY FIRM, LLC, BUFFALO (SHAWN W. CAREY OF COUNSEL), FOR  
PLAINTIFFS-APPELLANTS.

SLIWA & LANE, BUFFALO (STANLEY J. SLIWA OF COUNSEL), FOR  
DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Kevin M. Dillon, J.), entered March 6, 2009 in a personal injury action. The order granted the motion of defendant Transco Railway Products, Inc. for summary judgment dismissing the amended complaint against it.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated at Supreme Court.

Entered: February 11, 2010

Patricia L. Morgan  
Clerk of the Court