

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

520

CA 09-01534

PRESENT: SCUDDER, P.J., MARTOCHE, GREEN, AND GORSKI, JJ.

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COURTNEY COWAN, KELLY COWAN AND BRIAN COWAN,  
PLAINTIFFS-APPELLANTS,

V

MEMORANDUM AND ORDER

STAGECOACH GROUP, PLC, COACH USA, INC.,  
INDIVIDUALLY AND DOING BUSINESS AS COACH  
CANADA, INC., TRENTWAY-WAGAR, INC., ERIE  
COACH LINES COMPANY, RYAN A. COMFORT,  
DEFENDANTS-RESPONDENTS,  
ET AL., DEFENDANTS.  
(APPEAL NO. 3.)

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CLARK, GAGLIARDI & MILLER, P.C., WHITE PLAINS (LAWRENCE T. D'ALOISE,  
JR., OF COUNSEL), FOR PLAINTIFFS-APPELLANTS.

HISCOCK & BARCLAY, LLP, ROCHESTER (ANTHONY J. PIAZZA OF COUNSEL), FOR  
DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Livingston County  
(Thomas M. Van Strydonck, J.), entered March 24, 2009 in a personal  
injury action. The order granted the motion of defendants Stagecoach  
Group, PLC, Coach USA, Inc., individually and doing business as Coach  
Canada, Inc., Trentway-Wagar, Inc., Erie Coach Lines Company, and Ryan  
A. Comfort and determined that the law of Ontario, Canada concerning  
noneconomic damages applies to this action.

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

Same Memorandum as in *Butler v Stagecoach Group, PLC* ([appeal No.  
1] \_\_\_ AD3d \_\_\_ [Apr. 30, 2010]).

Entered: April 30, 2010

Patricia L. Morgan  
Clerk of the Court