

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

746

CA 10-00068

PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, AND SCONIERS, JJ.

MICHAEL ROACH, INDIVIDUALLY AND AS
REPRESENTATIVE OF THE ESTATE OF CATHERINE
ROACH, DECEASED, ERIN K. ROACH, STEPHEN M.
ROACH AND CHRISTOPHER D. ROACH,
PLAINTIFFS-APPELLANTS,

V

ORDER

COACH USA, INC., COACH CANADA, INC.,
ERIE COACH LINES COMPANY, INDIVIDUALLY
AND DOING BUSINESS AS COACH CANADA, INC.,
TRENTWAY-WAGAR, INC., INDIVIDUALLY AND
DOING BUSINESS AS COACH CANADA, INC.,
TRENTWAY-WAGAR (PROPERTIES) INC.,
RYAN A. COMFORT, DEFENDANTS-RESPONDENTS,
ET AL., DEFENDANTS.
(APPEAL NO. 1.)

KELLY & LEONARD, L.L.P., BALLSTON SPA (LAWRENCE D'ALOISE OF COUNSEL),
FOR PLAINTIFFS-APPELLANTS.

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

Appeal from an order of the Supreme Court, Livingston County
(Thomas M. Van Strydonck, J.), entered March 24, 2009. The order
granted the motion of defendants Coach USA, Inc., Coach Canada, Inc.,
Erie Coach Lines Company, individually and doing business as Coach
Canada, Inc., Trentway-Wagar, Inc., individually and doing business as
Coach Canada, Inc., Trentway-Wagar (Properties) Inc., 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 (*see Butler v Stagecoach Group,
PLC*, 72 AD3d 1581).

Entered: June 11, 2010

Patricia L. Morgan
Clerk of the Court