

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

763

CA 09-01749

PRESENT: SMITH, J.P., FAHEY, CARNI, GREEN, AND GORSKI, JJ.

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IN THE MATTER OF ROBERT P. MEEGAN, JR.,  
INDIVIDUALLY AND AS PRESIDENT OF BUFFALO  
POLICE BENEVOLENT ASSOCIATION, AND  
BUFFALO POLICE BENEVOLENT ASSOCIATION,  
PETITIONERS-RESPONDENTS,

V

MEMORANDUM AND ORDER

BYRON W. BROWN, AS MAYOR OF CITY OF BUFFALO,  
H. MCCARTHY GIPSON, AS COMMISSIONER OF POLICE,  
AND CITY OF BUFFALO, RESPONDENTS-APPELLANTS.  
(APPEAL NO. 2.)

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HODGSON RUSS LLP, BUFFALO (JOSEPH S. BROWN OF COUNSEL), FOR  
RESPONDENTS-APPELLANTS.

LAW OFFICES OF W. JAMES SCHWAN, BUFFALO (W. JAMES SCHWAN OF COUNSEL),  
FOR PETITIONERS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered January 28, 2009. The order, inter alia, continued a preliminary injunction pending the decision of an arbitrator or December 18, 2009, whichever occurred first.

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

Same Memorandum as in *Matter of Meegan v Brown* ([appeal No. 1]  
\_\_\_ AD3d \_\_\_ [June 11, 2010]).

Entered: June 11, 2010

Patricia L. Morgan  
Clerk of the Court