

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

789

CA 09-01683

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, LINDLEY, AND PINE, JJ.

PETER G. DAVIDSON AND MARY J. DAVIDSON,
PLAINTIFFS-RESPONDENTS,

V

MEMORANDUM AND ORDER

STRAIGHT LINE CONTRACTORS, INC.,
DEFENDANT-RESPONDENT,
KARLA GERRIE, DEFENDANT-APPELLANT,
ET AL., DEFENDANT.
(APPEAL NO. 2.)

WOODS OVIATT GILMAN LLP, ROCHESTER (ROBERT S. ATTARDO OF COUNSEL), FOR
DEFENDANT-APPELLANT.

HODGSON RUSS LLP, BUFFALO (KYLE C. REEB OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS.

THE LAW FIRM OF JANICE M. IATI, P.C., ROCHESTER (JANICE M. IATI OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an amended order of the Supreme Court, Monroe County (David Michael Barry, J.), entered July 17, 2009. The amended order denied the motion of defendant Karla Gerrie for leave to reargue and vacatur of the default judgment entered against her.

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

Same Memorandum as in *Davidson v Straight Line Contrs., Inc.* ([appeal No. 1] ___ AD3d ___ [July 9, 2010]).

Entered: July 9, 2010

Patricia L. Morgan
Clerk of the Court