

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

946

CA 09-02596

PRESENT: MARTOCHE, J.P., CENTRA, CARNI, LINDLEY, AND GREEN, JJ.

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PINO ALTO PARTNERS, INDIVIDUALLY AND ON  
BEHALF OF ALL OTHERS SIMILARLY SITUATED,  
PLAINTIFF-RESPONDENT,

V

ORDER

ERIE COUNTY WATER AUTHORITY,  
DEFENDANT-APPELLANT.

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HODGSON RUSS LLP, BUFFALO (HUGH M. RUSS, III, OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

HARTER SECREST & EMERY LLP, BUFFALO (JOHN G. HORN OF COUNSEL), AND LAW  
OFFICE OF RALPH C. LORIGO, WEST SENECA, FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered August 18, 2009. The order provided for class notification pursuant to CPLR 904.

It is hereby ORDERED that the order so appealed from is unanimously affirmed with costs for reasons stated at Supreme Court.

Entered: October 1, 2010

Patricia L. Morgan  
Clerk of the Court