

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

1267

CA 10-00347

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

RANDALL WEST, PLAINTIFF-APPELLANT,

V

ORDER

FORTEQ NORTH AMERICA, INC., ET AL., DEFENDANTS,
AND ENGEL MACHINERY, INC., DEFENDANT-RESPONDENT.
(APPEAL NO. 2.)

THE KAMMHOLZ LAW FIRM, FAIRPORT (BRADLEY P. KAMMHOLZ OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

GALLO & IACOVANGELO, LLP, ROCHESTER (LEONARD A. ROSNER OF COUNSEL),
FOR DEFENDANT-RESPONDENT ENGEL MACHINERY, INC.

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered August 14, 2009 in a personal injury action. The order granted the motion of defendant Engel Machinery, Inc. for summary judgment and dismissed the complaint against it.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: November 12, 2010

Patricia L. Morgan
Clerk of the Court