

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

1322

CA 10-00318

PRESENT: MARTOCHE, J.P., SCONIERS, GREEN, AND PINE, JJ.

ANTHONY J. IPPOLITO, MS, DDS,
PLAINTIFF-APPELLANT,

V

ORDER

GAETANO J. POLIZZI, DDS, DEFENDANT-RESPONDENT.

KEENAN LAW CENTRE, P.C., HAMBURG (JOHN J. KEENAN OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

FLAHERTY & SHEA, BUFFALO (MICHAEL J. FLAHERTY OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered November 24, 2009 in a breach of contract action. The order dismissed the complaint.

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

Entered: November 12, 2010

Patricia L. Morgan
Clerk of the Court