

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

1182

CA 09-02201

PRESENT: MARTOCHE, J.P., LINDLEY, SCONIERS, PINE, AND GORSKI, JJ.

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PAULA J. CURTIN, INDIVIDUALLY AND AS PERSONAL  
REPRESENTATIVE OF THE ESTATE OF THOMAS A.  
CURTIN, DECEASED, PLAINTIFF-RESPONDENT,

V

ORDER

J.B. HUNT TRANSPORT, INC. AND JOHN R. MACGREGOR,  
DEFENDANTS-APPELLANTS.  
(APPEAL NO. 1.)

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RAWLE & HENDERSON, LLP, NEW YORK CITY (ROBERT A. FITCH OF COUNSEL),  
FOR DEFENDANTS-APPELLANTS.

BAUM, HEDLUND, ARISTEI & GOLDMAN, P.C., LOS ANGELES, CALIFORNIA  
(RONALD L. GOLDMAN, OF THE CALIFORNIA, ILLINOIS AND DISTRICT OF  
COLUMBIA BARS, ADMITTED PRO HAC VICE, OF COUNSEL), AND RIVETTE &  
RIVETTE, P.C., SYRACUSE, FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Oneida County (Anthony F. Shaheen, J.), entered August 5, 2009 in a wrongful death action. The order, among other things, denied defendants' cross motion to exclude from evidence the report and testimony of plaintiff's economic expert.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (*see Loafin' Tree Rest. v Pardi* [appeal No. 1], 162 AD2d 985).

Entered: December 30, 2010

Patricia L. Morgan  
Clerk of the Court