

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

1580

CA 10-01340

PRESENT: MARTOCHE, J.P., CENTRA, FAHEY, LINDLEY, AND SCONIERS, JJ.

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C. BRUCE LAWRENCE, ESQ., TRUSTEE IN BANKRUPTCY  
FOR ROGER JACKSON,  
PLAINTIFF-RESPONDENT-APPELLANT,

V

ORDER

GUARDSMARK, LLC, DEFENDANT-APPELLANT-RESPONDENT.

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HARRIS BEACH PLLC, PITTSFORD (LAURA W. SMALLEY OF COUNSEL), FOR  
DEFENDANT-APPELLANT-RESPONDENT.

THOMAS R. MONKS, ROCHESTER, FOR PLAINTIFF-RESPONDENT-APPELLANT.

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Appeal and cross appeal from an order of the Supreme Court,  
Monroe County (Ann Marie Taddeo, J.), entered January 6, 2010 in a  
personal injury action. The order denied the motion of defendant to  
dismiss the complaint as untimely.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs.

Entered: December 30, 2010

Patricia L. Morgan  
Clerk of the Court