

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

428

CA 10-01696

PRESENT: SMITH, J.P., FAHEY, PERADOTTO, LINDLEY, AND MARTOCHE, JJ.

LAURIE REBON, PLAINTIFF-APPELLANT,

V

ORDER

DONNA YORK, AS EXECUTRIX OF THE ESTATE OF
WARREN M. HELDWEIN, DECEASED,
DEFENDANT-RESPONDENT.

DONNA YORK, AS EXECUTRIX OF THE ESTATE OF
WARREN M. HELDWEIN, DECEASED, THIRD-PARTY
PLAINTIFF,

V

JUSTIN REBON, THIRD-PARTY DEFENDANT-RESPONDENT.

LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (JOHN A. COLLINS OF COUNSEL),
FOR PLAINTIFF-APPELLANT.

LAW OFFICES OF LAURIE G. OGDEN, BUFFALO (PAMELA S. SCHALLER OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered May 19, 2010 in a personal injury action. The order granted the motion of defendant for summary judgment dismissing the complaint and granted the motion of third-party defendant for summary judgment dismissing the third-party complaint.

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: March 25, 2011

Patricia L. Morgan
Clerk of the Court