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

407

CA 10-00376

PRESENT: SCUDDER, P.J., SMITH, PERADOTTO, LINDLEY, AND GREEN, JJ.

DEBORAH FERRENTINO, PLAINTIFF-APPELLANT,

ORDER

THERESA A. KEEL, DEFENDANT, AND SUZANNE K. VARLEY, DEFENDANT-RESPONDENT.

LAW OFFICE OF WILLIAM K. MATTAR, P.C., WILLIAMSVILLE (C. DANIEL MCGILLICUDDY OF COUNSEL), FOR PLAINTIFF-APPELLANT.

HAGELIN KENT LLC, BUFFALO (VICTOR M. WRIGHT OF COUNSEL), FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered December 31, 2009 in a personal injury action. The order, inter alia, granted the motion of defendant Suzanne K. Varley for summary judgment and dismissed the complaint.

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

Entered: April 1, 2011 Patricia L. Morgan Clerk of the Court