

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

1319

CA 10-01954

PRESENT: SCUDDER, P.J., CENTRA, FAHEY, CARNI, AND SCONIERS, JJ.

REBECCA OSTERHOUT, PLAINTIFF-APPELLANT,

V

ORDER

TAMMY BANKER AND LUCAS SHULLA,
DEFENDANTS-RESPONDENTS.

CHRISTOPHER G. JOHNSON, ROCHESTER (THOMAS J. RZEPKA OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

RUPP, BAASE, PFALZGRAF, CUNNINGHAM & COPPOLA LLC, ROCHESTER (ALISON M.
K. LEE OF COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Wayne County (Dennis M. Kehoe, A.J.), entered August 5, 2010 in a personal injury action. The order granted the motion of defendants for summary judgment, denied the cross motion of plaintiff for summary judgment and dismissed the 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: December 23, 2011

Frances E. Cafarell
Clerk of the Court