

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

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CA 12-00052

PRESENT: CENTRA, J.P., FAHEY, CARNI, LINDLEY, AND WHALEN, JJ.

JOANN HOELTKE AND DONALD HOELTKE,
PLAINTIFFS-APPELLANTS,

V

ORDER

ALLCARE DENTAL & DENTURES,
DEFENDANT-RESPONDENT.

SIM & RECORD, LLP, BAYSIDE (SANG J. SIM OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

FELDMAN KIEFFER, LLP, BUFFALO (STEPHEN A. MANUELE OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered November 26, 2011. The order, inter alia, granted defendant's motion to enforce a conditional order of preclusion and to strike plaintiffs' complaint and dismiss the action against defendant.

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 15, 2013

Frances E. Cafarell
Clerk of the Court