

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

935

CA 12-02188

PRESENT: SCUDDER, P.J., CENTRA, LINDLEY, AND WHALEN, JJ.

SUSAN P. WIND, PLAINTIFF-APPELLANT,

V

ORDER

TIMOTHY J. MCNEIL, DEFENDANT-RESPONDENT.

CELLINO & BARNES, P.C., BUFFALO (ELLEN B. STURM OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

BURGIO, KITA & CURVIN, BUFFALO (HILARY C. BANKER OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered August 8, 2012. The order granted the motion of defendant to amend his answer and for summary judgment dismissing the complaint.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for the reasons stated at Supreme Court.

Entered: September 27, 2013

Frances E. Cafarell
Clerk of the Court