

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

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CA 13-01122

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, SCONIERS, AND WHALEN, JJ.

DELVIR, LLC, PLAINTIFF-APPELLANT,

V

ORDER

TRM ARCHITECTURE, DESIGN & PLANNING, P.C.,
DEFENDANT-RESPONDENT.

THE KNOER GROUP, PLLC, BUFFALO (CHANEL T. MCCARTHY OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

LIPPES MATHIAS WEXLER FRIEDMAN LLP, BUFFALO (MARK DAVIS OF COUNSEL),
FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered October 10, 2011. The order denied the motion of plaintiff for, inter alia, summary judgment dismissing the counterclaims and declaring that defendant's mechanic's lien is void.

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: February 7, 2014

Frances E. Cafarell
Clerk of the Court