

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

1370

CA 14-01028

PRESENT: SMITH, J.P., PERADOTTO, CARNI, VALENTINO, AND DEJOSEPH, JJ.

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WILLIAM JACQUES, PLAINTIFF-APPELLANT,

V

ORDER

LECESSE CONSTRUCTION SERVICES, LLC,  
DEFENDANT-RESPONDENT.

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DAVIDSON FINK LLP, ROCHESTER (ANDREW M. BURNS OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

BOND, SCHOENECK & KING, PLLC, ROCHESTER (JOSEPH S. NACCA OF COUNSEL),  
FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered August 19, 2013 in a breach of contract action. The order denied the motion of plaintiff for summary judgment and granted the cross motion of defendant for leave to amend its affirmative defenses.

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

Entered: February 6, 2015

Frances E. Cafarell  
Clerk of the Court