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This memorandum is uncorrected and subject to revision before  
publication in the New York Reports.  
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No. 147 SSM 32  
James E. Freligh II,  
  Appellant,  
  v.  
Government Employees Insurance  
Company,  
  Respondent.

Submitted by Derek J. Spada, for appellant.  
Submitted by Daisy F. Paglia, for respondent.

\* \* \* \* \*

On review of submissions pursuant to section 500.11 of the Rules,  
order reversed, with costs, and case remitted to the Appellate  
Division, Third Department, for consideration of issues raised  
but not determined on the appeal to that court. Triable issues  
of fact exist as to plaintiff's claim for lost wages. Chief  
Judge DiFiore and Judges Rivera, Stein, Fahey, Garcia, Wilson and  
Feinman concur.

Decided December 14, 2017