

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D14970
C/gts

_____AD3d_____

Argued - March 27, 2007

WILLIAM F. MASTRO, J.P.
REINALDO E. RIVERA
MARK C. DILLON
EDWARD D. CARNI, JJ.

2006-03613

DECISION & ORDER

Carolyn Baltzer, appellant, v Federated
Department Stores, Inc., et al., respondents.

(Index No. 16327/02)

Siben & Siben, LLP, Bay Shore, N.Y. (Alan G. Faber of counsel), for appellant.

Lester Schwab Katz & Dwyer, LLP, New York, N.Y. (Paul M. Tarr and Steven B.
Prystowsky of counsel), for respondents.

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Suffolk County (Baisley, J.), dated March 29, 2006, which granted the defendants' motion for summary judgment dismissing the complaint.

ORDERED that the order is affirmed, with costs.

The Supreme Court correctly determined that there were no triable issues of fact.

MASTRO, J.P., RIVERA, DILLON and CARNI, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 1, 2007

BALTZER v FEDERATED DEPARTMENT STORES, INC.