

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

D25350  
W/kmg/prt

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - November 10, 2009

STEVEN W. FISHER, J.P.  
DANIEL D. ANGIOLILLO  
PLUMMER E. LOTT  
SANDRA L. SGROI, JJ.

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2009-02022

DECISION & ORDER

Ramon Rivera, respondent, v Port Authority  
of New York and New Jersey, et al., appellants.

(Index No. 10981/04)

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Dombroff Gilmore Jaques & French, New York, N.Y. (Colleen Kerwick Savino of  
counsel), for appellants.

Joseph P. Ferri, Jr., Garden City, N.Y., for respondent.

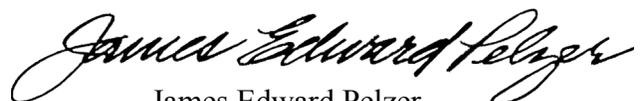
In an action to recover damages for personal injuries, the defendants appeal from an  
order of the Supreme Court, Queens County (Cullen, J.), entered January 15, 2009, which denied the  
motion of the defendant Port Authority of New York and New Jersey for summary judgment  
dismissing the complaint insofar as asserted against it.

ORDERED that the appeal is dismissed, without costs or disbursements.

The appeal by the defendant Global Ground North America, LLC, must be dismissed,  
as that defendant is not aggrieved by the order appealed from (*see* CPLR 5511). The appeal by the  
defendant Port Authority of New York and New Jersey must be dismissed as academic in light of our  
determination on a related appeal (*see Rivera v Port Auth. of N.Y. and N.J.*, \_\_\_\_\_AD3d\_\_\_\_  
\_\_\_\_ [Appellate Division Docket No. 2008-04877, decided herewith]).

FISHER, J.P., ANGIOLILLO, LOTT and SGROI, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

January 26, 2010

RIVERA v PORT AUTHORITY OF NEW YORK AND NEW JERSEY