

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

D32429  
H/T/prt

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Submitted - September 12, 2011

DANIEL D. ANGIOLILLO, J.P.  
L. PRISCILLA HALL  
JEFFREY A. COHEN  
ROBERT J. MILLER, JJ.

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2010-07422

DECISION & ORDER

Raymond Young, appellant, v Joseph Quatela, et al.,  
defendants, Kevin Werner, et al., respondents.

(Index No. 601658/09)

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Michael H. Joseph, PLLC, White Plains, N.Y., for appellant.

Long, Tuminello, Besso, Seligman, Werner & Sullivan, LLP, Bay Shore, N.Y.  
(Michelle Aulivola of counsel), respondent pro se and for respondent Kevin Werner.

In an action, inter alia, to recover damages for legal malpractice, the plaintiff appeals, as limited by his brief, from so much of an order of the Supreme Court, Nassau County (Feinman, J.), entered June 24, 2010, as granted that branch of the motion of the defendants Kevin Werner and Tuminello, Besso, Seligman, Quinlan & Werner, LLP, which was, in effect, pursuant to CPLR 3211(a)(1) to dismiss the third and fourth causes of action.

ORDERED that the order is affirmed insofar as appealed from, with costs.

Contrary to the plaintiff's contention, the Supreme Court properly granted that branch of the motion of the defendants Kevin Werner and Long, Tuminello, Besso, Seligman, Werner & Sullivan, LLP, which was, in effect, pursuant to CPLR 3211(a)(1) to dismiss the third and fourth causes of action.

The plaintiff's remaining contentions are without merit.

October 10, 2012

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ANGIOLILLO, J.P., HALL, COHEN and MILLER, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court