

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

1112

CA 09-00427

PRESENT: SCUDDER, P.J., HURLBUTT, MARTOCHE, SMITH, AND CENTRA, JJ.

ALY SHARAKY, PLAINTIFF-APPELLANT,

V

ORDER

REID PETROLEUM CORP., DEFENDANT-RESPONDENT,
ET AL., DEFENDANTS.

MUSCATO, DIMILLO & VONA, L.L.P., LOCKPORT (A. ANGELO DIMILLO OF
COUNSEL), FOR PLAINTIFF-APPELLANT.

SEAMAN, JONES, HOGAN & BROOKS, LLP, LOCKPORT (MORGAN L. JONES, JR., OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered September 10, 2008 in a breach of contract action. The order denied the motion of plaintiff for partial summary judgment.

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

Entered: October 2, 2009

Patricia L. Morgan
Clerk of the Court