

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

**804.2**

**CA 11-00028**

PRESENT: SCUDDER, P.J., SMITH, CARNI, SCONIERS, AND GREEN, JJ.

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INTEGRATED FACILITY SYSTEMS, INC.,  
PLAINTIFF-APPELLANT,

V

ORDER

COLLEEN C. GARDNER, AS COMMISSIONER OF NEW  
YORK STATE DEPARTMENT OF LABOR, NEW YORK STATE  
DEPARTMENT OF LABOR, BUREAU OF PUBLIC WORKS,  
DEFENDANTS-RESPONDENTS.

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BOND, SCHOENECK & KING, PLLC, BUFFALO (ROBERT A. DOREN OF COUNSEL),  
FOR PLAINTIFF-APPELLANT.

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL, ALBANY (KATHLEEN M. ARNOLD OF  
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Onondaga County (Brian F. DeJoseph, J.), entered October 29, 2010 in a declaratory judgment action. The order granted the motion of defendants to dismiss the complaint and denied as moot the cross motion of plaintiff for summary judgment.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated at Supreme Court.

Entered: June 10, 2011

Patricia L. Morgan  
Clerk of the Court