

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

1488

CA 12-01120

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, AND SCONIERS, JJ.

RONALD EVANGELISTA, WILLIAM WOOD, JR., MARK GERBINO, GERALD CONNOR, FREDERICK COWLEY, PETER WALSH, JOHN GERBINO, RICHARD GERBINO AND RONALD REINSTEIN, PLAINTIFFS-RESPONDENTS,

V

ORDER

CITY OF ROCHESTER AND ROBERT J. DUFFY, AS MAYOR OF CITY OF ROCHESTER, DEFENDANTS-APPELLANTS.

ROBERT J. BERGIN, CORPORATION COUNSEL, ROCHESTER (ADAM M. CLARK OF COUNSEL), FOR DEFENDANTS-APPELLANTS.

CHAMBERLAIN D'AMANDA OPPENHEIMER & GREENFIELD LLP, ROCHESTER (LUCINDA ODELL LAPOFF OF COUNSEL), FOR PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered August 26, 2011. The order, among other things, granted in part plaintiffs' motion for summary judgment.

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

Entered: December 21, 2012

Frances E. Cafarell
Clerk of the Court