

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

1397

CA 13-02027

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

KENNETH M. SCHLAU, JR., PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

CITY OF BUFFALO, BUFFALO URBAN RENEWAL AGENCY,
WESTERN NEW YORK ARENA, LLC, HSBC ARENA, ADT
SECURITY SERVICES, INC. (ADT), U. & S.
SERVICES, INC., DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.
(APPEAL NO. 4.)

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP, NEW YORK CITY (GREGORY
J. DELL OF COUNSEL), FOR DEFENDANTS-APPELLANTS CITY OF BUFFALO,
BUFFALO URBAN RENEWAL AGENCY, WESTERN NEW YORK ARENA, LLC, HSBC ARENA,
AND ADT SECURITY SERVICES, INC. (ADT).

ROACH, BROWN, MCCARTHY & GRUBER, P.C., BUFFALO (JOEL J. JAVA, JR., OF
COUNSEL), FOR DEFENDANT-APPELLANT U. & S. SERVICES, INC.

PAUL W. BELTZ, P.C., BUFFALO (DEBRA A. NORTON OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeals from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered October 30, 2013. The order, among other things, denied the motions of defendants City of Buffalo, Buffalo Urban Renewal Agency, Western New York Arena, LLC, HSBC Arena, ADT Security Services, Inc. (ADT) and U. & S. Services, Inc. for leave to renew and/or reargue their motions to compel the production of complete copies of plaintiff's medical records.

It is hereby ORDERED that said appeals are unanimously dismissed without costs.

Same Memorandum as in *Schlau v City of Buffalo* ([appeal No. 1] ___ AD3d ___ [Feb. 13, 2015]).

Entered: February 13, 2015

Frances E. Cafarell
Clerk of the Court