

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

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CA 13-01500

PRESENT: SCUDDER, P.J., CENTRA, PERADOTTO, LINDLEY, AND WHALEN, JJ.

ROBIN E. RUNDLE-KRZYZANIAK AND THOMAS M.
KRZYZANIAK, PLAINTIFFS-APPELLANTS,

V

ORDER

JUSTIN A. BAIN, DEFENDANT-RESPONDENT.

STASIA ZOLADZ VOGEL, DERBY, FOR PLAINTIFFS-APPELLANTS.

LAW OFFICE OF DANIEL R. ARCHILLA, BUFFALO (LAUREN M. YANNUZZI OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered October 29, 2012. The order granted defendant's motion to dismiss plaintiffs' complaint.

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: March 21, 2014

Frances E. Cafarell
Clerk of the Court