

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

1398

CA 13-02028

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

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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. 5.)

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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.

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Appeals from an order of the Supreme Court, Erie County (Diane Y.  
Devlin, J.), entered October 30, 2013. The order, among other things,  
directed plaintiff to produce a privilege log.

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