

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

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CA 16-00270

PRESENT: WHALEN, P.J., SMITH, DEJOSEPH, CURRAN, AND SCUDDER, JJ.

GARY SKALYO, PLAINTIFF-APPELLANT-RESPONDENT,

V

ORDER

LAUREL PARK CONDOMINIUM BOARD OF MANAGERS,
CLOVER MANAGEMENT, INC., AND MARRANO MARK
EQUITY, DEFENDANTS-RESPONDENTS-APPELLANTS.
(APPEAL NO. 1.)

DONALD A. ALESSI, EAST AMHERST (RICHARD G. COLLINS OF COUNSEL), FOR
PLAINTIFF-APPELLANT-RESPONDENT.

COLUCCI & GALLAHER, P.C., BUFFALO (RYAN L. GELLMAN OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS-APPELLANTS.

Appeal and cross appeal from an order of the Supreme Court, Erie
County (Frederick J. Marshall, J.), entered October 8, 2015. The
order, *inter alia*, granted summary judgment to defendants on their
first and second counterclaims.

It is hereby ORDERED that said appeal is unanimously dismissed
(*see Hughes v Nussbaumer, Clarke & Velzy*, 140 AD2d 988; *Chase
Manhattan Bank, N.A. v Roberts & Roberts*, 63 AD2d 566, 567; *see also*
CPLR 5501 [a] [1]) and the cross appeal is dismissed without costs
(*see Benedetti v Erie County Med. Ctr. Corp.*, 126 AD3d 1322, 1323; *see
also* CPLR 5511).

Entered: February 3, 2017

Frances E. Cafarell
Clerk of the Court