

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

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CA 19-00100

PRESENT: WHALEN, P.J., CENTRA, LINDLEY, TROUTMAN, AND WINSLOW, JJ.

IN THE MATTER OF 425 WEST MAIN ASSOCIATES LP,
PETITIONER-APPELLANT,

V

ORDER

SELECTIVE INSURANCE COMPANY OF SOUTH CAROLINA,
RESPONDENT-RESPONDENT.

DUKE, HOLZMAN, PHOTIADIS & GRESENS LLP, BUFFALO (ELIZABETH A. KRAENGEL
OF COUNSEL), FOR PETITIONER-APPELLANT.

HURWITZ & FINE, P.C., BUFFALO (STEVEN E. PEIPER OF COUNSEL), FOR
RESPONDENT-RESPONDENT.

WILOFSKY FRIEDMAN KAREL & CUMMINS, NEW YORK CITY (ROMAN RABINOVICH OF
COUNSEL), FOR UNITED POLICYHOLDERS AND NEW YORK ADJUSTERS ASSOCIATION,
AMICI CURIAE.

Appeal from an order of the Supreme Court, Genesee County (Henry
J. Nowak, Jr., J.), entered January 4, 2019. The order denied the
petition to compel an appraisal.

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: January 31, 2020

Mark W. Bennett
Clerk of the Court