

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

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CA 19-01237

PRESENT: CENTRA, J.P., CARNI, LINDLEY, NEMOYER, AND TROUTMAN, JJ.

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NHJB, INC., DOING BUSINESS AS MOLLY'S PUB, AND  
NORMAN HABIB, PLAINTIFFS-RESPONDENTS,

V

MEMORANDUM AND ORDER

UTICA FIRST INSURANCE COMPANY, DEFENDANT-APPELLANT.  
(APPEAL NO. 3.)

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FARBER BROCKS & ZANE, LLP, GARDEN CITY (AUDRA ZANE OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

LIPPES MATHIAS WEXLER FRIEDMAN LLP, BUFFALO (BRENDAN H. LITTLE OF  
COUNSEL), FOR PLAINTIFFS-RESPONDENTS.

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Appeal from a judgment of the Supreme Court, Erie County (Mark A. Montour, J.), entered June 19, 2019. The judgment awarded plaintiffs the sum of \$86,093.50 as against defendant.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same memorandum as in *NHJB, Inc. v Utica First Ins. Co.* ([appeal No. 4] – AD3d – [Oct. 2, 2020] [4th Dept 2020]).

Entered: October 2, 2020

Mark W. Bennett  
Clerk of the Court