

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

1629

CA 10-00571

PRESENT: MARTOCHE, J.P., FAHEY, CARNI, LINDLEY, AND SCONIERS, JJ.

MICHAEL RUCKER, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

MCDONALD'S RESTAURANT OF NEW YORK, INC.,
HECTOR URENA, DOING BUSINESS AS MCDONALD'S
RESTAURANT, CP NATIONAL ENTERPRISES, INC.,
DOING BUSINESS AS MCDONALD'S RESTAURANT, AND
CRG AT ARNOT MALL, INC., DOING BUSINESS AS
MCDONALD'S RESTAURANT, DEFENDANTS-RESPONDENTS.
(APPEAL NO. 2.)

CRAIG Z. SMALL, BUFFALO, D.J. & J.A. CIRANDO, ESQS., SYRACUSE (JOHN A.
CIRANDO OF COUNSEL), FOR PLAINTIFF-APPELLANT.

BURKE, SCOLAMIERO, MORTATI & HURD, LLP, HUDSON (JOHN D. HOLT OF
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered May 26, 2009 in a personal injury action. The order, among other things, denied plaintiff's motion for judgment notwithstanding the verdict.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Same Memorandum as in *Kreiger v McDonald's Rest. of N.Y., Inc.*
(___ AD3d ___ [Dec. 30, 2010]).

Entered: December 30, 2010

Patricia L. Morgan
Clerk of the Court