

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

**529**

**CA 14-02069**

PRESENT: CENTRA, J.P., CARNI, SCONIERS, VALENTINO, AND WHALEN, JJ.

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SANTO S. SCRUFARI, PLAINTIFF-APPELLANT,

V

ORDER

CHUBB CORPORATION, DOING BUSINESS AS  
CHUBB GROUP OF INSURANCE COMPANIES, DEFENDANT,  
AND FEDERAL INSURANCE COMPANIES, DEFENDANT-RESPONDENT.

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HARRIS BEACH PLLC, BUFFALO (RICHARD T. SULLIVAN OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

SHERRARD, GERMAN AND KELLY, P.C., PITTSBURGH, PENNSYLVANIA (KAREN Y.  
BONVALOT, OF THE PENNSYLVANIA BAR, ADMITTED PRO HAC VICE, OF COUNSEL),  
AND NIXON PEABODY LLP, BUFFALO, FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Niagara County  
(Timothy J. Walker, A.J.), entered January 30, 2014. The order, among  
other things, granted the cross motion of defendant Federal Insurance  
Companies for summary judgment dismissing plaintiff's complaint.

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: May 1, 2015

Frances E. Cafarell  
Clerk of the Court