

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

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CA 08-01668

PRESENT: HURLBUTT, J.P., MARTOCHE, CENTRA, PERADOTTO, AND GORSKI, JJ.

JOHN GREY AND JENNIFER GREY,
PLAINTIFFS-APPELLANTS,

V

ORDER

FIRST BAPTIST CHURCH OF OLEAN, ALSO KNOWN AS
FIRST BAPTIST CHURCH, DEFENDANT-APPELLANT,
CHRISTIAN C. HENZEL AND CATHERINE M. MALEY,
DEFENDANTS-RESPONDENTS.
(APPEAL NO. 1.)

FRANCIS M. LETRO, ESQ., BUFFALO (RONALD J. WRIGHT OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

SMITH, SOVIK, KENDRICK & SUGNET, P.C., SYRACUSE (MICHELLE WESTERMAN OF
COUNSEL), FOR DEFENDANT-APPELLANT.

LAW OFFICES OF J. MICHAEL SHANE, ALLEGANY (J. MICHAEL SHANE OF
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeals from an order of the Supreme Court, Cattaraugus County (Larry M. Himelein, A.J.), entered October 2, 2007 in a personal injury action. The order granted the motion of defendants Christian C. Henzel and Catherine M. Maley for summary judgment and dismissed the amended complaint against them.

It is hereby ORDERED that said appeals are unanimously dismissed without costs (*see Matter of Eric D.* [appeal No. 1], 162 AD2d 1051).

Entered: March 20, 2009

JoAnn M. Wahl
Clerk of the Court