

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

457

CA 08-00709

PRESENT: SMITH, J.P., CENTRA, FAHEY, AND PINE, JJ.

DENNIS PUTNAM AND LEANNE PUTNAM,
PLAINTIFFS-RESPONDENTS-APPELLANTS,

V

MEMORANDUM AND ORDER

COUNTY OF STEUBEN,
DEFENDANT-APPELLANT-RESPONDENT.
(APPEAL NO. 2.)

DAVIDSON & O'MARA, P.C., ELMIRA (DONALD S. THOMSON OF COUNSEL), FOR
DEFENDANT-APPELLANT-RESPONDENT.

DADD AND NELSON PLLC, ATTICA (ERIC T. DADD OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS-APPELLANTS.

Appeal and cross appeal from an order of the Supreme Court,
Steuben County (Matthew A. Rosenbaum, J.), entered March 13, 2008.
The order, among other things, granted in part defendant's
postjudgment motion to set aside the jury verdict.

It is hereby ORDERED that the order so appealed from is
unanimously modified on the law by denying the motion in its entirety
and reinstating the award of damages and as modified the order is
affirmed without costs.

Same Memorandum as in *Putnam v County of Steuben* ([appeal No. 1]
___ AD3d ___ [Apr. 24, 2009]).

Entered: April 24, 2009

Patricia L. Morgan
Deputy Clerk of the Court