

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

505

CA 08-01607

PRESENT: SMITH, J.P., FAHEY, PERADOTTO, CARNI, AND GORSKI, JJ.

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DANIEL CHAMBERLAIN, PLAINTIFF-APPELLANT,

V

ORDER

LARISSA DUNDON AND MICHAEL P. DUNDON,  
DEFENDANTS-RESPONDENTS.  
(APPEAL NO. 3.)

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FARACI LANGE, LLP, ROCHESTER (CAROL A. MCKENNA OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

LAW OFFICES OF MARY A. BJORK, ROCHESTER (THOMAS P. DURKIN OF COUNSEL),  
FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Ontario County  
(Frederick G. Reed, A.J.), entered April 2, 2008 in a personal injury  
action. The order denied the motion of plaintiff for a new trial.

It is hereby ORDERED that said appeal is unanimously dismissed  
without costs (see *Wall v Shepard*, 53 AD3d 1050; see also CPLR 5501  
[a] [2]).

Entered: April 24, 2009

Patricia L. Morgan  
Deputy Clerk of the Court