

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

842

CA 08-02259

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

BENEFICIAL NEW YORK, INC., PLAINTIFF-APPELLANT,

V

ORDER

JERRY HUNTER, DEFENDANT-RESPONDENT.

GIRVIN & FERLAZZO, P.C., ALBANY (CHRISTOPHER P. LANGLOIS OF COUNSEL),
FOR PLAINTIFF-APPELLANT.

BILGORE, REICH, LEVINE & KANTOR, ROCHESTER (THEODORE S. KANTOR OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (Harold L. Galloway, J.), entered January 15, 2008 in an action for breach of contract. The order granted the motion of defendant to vacate a default judgment.

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: June 5, 2009

Patricia L. Morgan
Clerk of the Court