

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

849

CA 08-01625

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

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DEPEW COLLISION AND FRAME SERVICE, INC.,  
PLAINTIFF-APPELLANT,

V

ORDER

GURNEY, BECKER & BOURNE, INC. AND MAX BECKER,  
DEFENDANTS-RESPONDENTS.

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ANTHONY F. CERRONE, BUFFALO (RICHARD G. BERGER OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

FELDMAN, KIEFFER & HERMAN, LLP, BUFFALO (ADAM C. FERRANDINO OF  
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Erie County (Gerald J. Whalen, J.), entered April 14, 2008 in a negligence action. The order granted the motion of defendants for summary judgment dismissing the complaint.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Entered: June 5, 2009

Patricia L. Morgan  
Clerk of the Court