

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

1205

CA 08-01750

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

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LYNN JUDA, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

GREGORY SOLAZZO, DEFENDANT,  
AND ANDREW DONOVAN, DEFENDANT-APPELLANT.  
(APPEAL NO. 2.)

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DAMON MOREY LLP, BUFFALO (JAMES W. GORMLEY OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

MOSEY PERSICO, LLP, BUFFALO (JENNIFER C. PERSICO OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered April 4, 2008 in an action for breach of fiduciary duty. The order, inter alia, denied the motion of defendant Andrew Donovan to compel disclosure.

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

Same Memorandum as in *Juda v Solazzo* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [Oct. 9, 2009]).

Entered: October 9, 2009

Patricia L. Morgan  
Clerk of the Court