

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

1366

CA 09-01017

PRESENT: SCUDDER, P.J., HURLBUTT, MARTOCHE, CENTRA, AND PERADOTTO, JJ.

IN THE MATTER OF THOMAS E. ROTHDIENER AND
VITO CARBONE, PETITIONERS-APPELLANTS,

V

ORDER

STATE OF NEW YORK RACING AND WAGERING BOARD,
RESPONDENT-RESPONDENT.

GUSTAVE J. DETRAGLIA, JR., UTICA, FOR PETITIONERS-APPELLANTS.

ANDREW M. CUOMO, ATTORNEY GENERAL, ALBANY (KATHLEEN M. ARNOLD OF
COUNSEL), FOR RESPONDENT-RESPONDENT.

Appeal from an order and judgment (one paper) of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered January 27, 2009. The order and judgment denied the petition and confirmed the arbitration award.

It is hereby ORDERED that the order and judgment so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: November 13, 2009

Patricia L. Morgan
Clerk of the Court