

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

1313

CA 09-00966

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

TRACY DEMMIN, PLAINTIFF-RESPONDENT,

V

ORDER

STANLEY SMIECH, JOHN W. HAENLE, IV, AS
ADMINISTRATOR OF THE ESTATE OF JOHN W.
HAENLE, III, DECEASED, DEFENDANTS-RESPONDENTS,
AND NEWSPAPER HOLDINGS, INC., DEFENDANT-APPELLANT.

DAMON & MOREY LLP, BUFFALO (HEDWIG M. AULETTA OF COUNSEL), FOR
DEFENDANT-APPELLANT.

ANDREWS, BERNSTEIN & MARANTO, LLP, BUFFALO (RICHARD A. NICOTRA OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

HAGELIN KENT LLC, BUFFALO (JOHN E. ABEEL OF COUNSEL), FOR
DEFENDANT-RESPONDENT STANLEY SMIECH.

BOUVIER PARTNERSHIP, LLP, BUFFALO (NORMAN E.S. GREENE OF COUNSEL), FOR
DEFENDANT-RESPONDENT JOHN W. HAENLE, IV, AS ADMINISTRATOR OF THE
ESTATE OF JOHN W. HAENLE, III, DECEASED.

Appeal from an order of the Supreme Court, Niagara County (Ralph
A. Boniello, III, J.), entered March 20, 2009 in a personal injury
action. The order denied the motion of defendant Newspaper Holdings,
Inc. for summary judgment.

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

Entered: December 30, 2009

Patricia L. Morgan
Clerk of the Court