

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

1266

CA 10-00345

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, LINDLEY, AND GREEN, JJ.

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RANDALL WEST, PLAINTIFF-APPELLANT,

V

ORDER

FORTEQ NORTH AMERICA, INC., ET AL., DEFENDANTS,  
AND ENGEL MACHINERY, INC., DEFENDANT-RESPONDENT.  
(APPEAL NO. 1.)

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THE KAMMHOLZ LAW FIRM, FAIRPORT (BRADLEY P. KAMMHOLZ OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

GALLO & IACOVANGELO, LLP, ROCHESTER (LEONARD A. ROSNER OF COUNSEL),  
FOR DEFENDANT-RESPONDENT ENGEL MACHINERY, INC.

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Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered April 30, 2009 in a personal injury action. The order denied the cross motion of plaintiff for leave to amend the complaint.

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: November 12, 2010

Patricia L. Morgan  
Clerk of the Court