

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

1277

CA 11-01351

PRESENT: SCUDDER, P.J., SMITH, GREEN, GORSKI, AND MARTOCHE, JJ.

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A.M. KAWSKI, ON BEHALF OF HERSELF AND ALL  
OTHER EMPLOYEES SIMILARLY SITUATED,  
PLAINTIFF-APPELLANT,

V

ORDER

JOHNSON & JOHNSON AND ORTHO-CLINICAL  
DIAGNOSTICS, INC., DEFENDANTS-RESPONDENTS.

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THOMAS & SOLOMON LLP, ROCHESTER (J. NELSON THOMAS OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

PATTERSON BELKNAP WEBB & TYLER LLP, NEW YORK CITY (ELLEN M. MARTIN OF  
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Monroe County (Harold L. Galloway, J.), dated September 9, 2010 in a breach of contract action. The order granted the motion of defendants to dismiss and dismissed the amended 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: December 23, 2011

Frances E. Cafarell  
Clerk of the Court