

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

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CA 11-01025

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, GREEN, AND MARTOCHE, JJ.

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TIMOTHY J. DADDARIO, PLAINTIFF-RESPONDENT,

V

ORDER

BUSINESS VENTURE ASSOCIATES LIMITED PARTNERSHIP,  
DEFENDANT-APPELLANT.

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THORN GERSHON TYMANN AND BONANNI, LLP, ALBANY (AMANDA KURYLUK OF  
COUNSEL), FOR DEFENDANT-APPELLANT.

SUGARMAN LAW FIRM, LLP, SYRACUSE (AMY M. VANDERLYKE OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Onondaga County (Brian F. DeJoseph, J.), entered March 11, 2011 in a personal injury action. The order denied the motion of defendant for summary judgment dismissing 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: December 23, 2011

Frances E. Cafarell  
Clerk of the Court