

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

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**CA 11-01126**

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

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ANN M. SAWYER AND JEFFREY M. SAWYER,  
PLAINTIFFS-APPELLANTS,

V

ORDER

VICTOR RUTECKI, THE RUTECKI AGENCY AND WNY  
AGENTS GROUP, INC., DEFENDANTS-RESPONDENTS.  
(APPEAL NO. 1.)

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HODGSON RUSS LLP, BUFFALO (HEATHER K. ZIMMERMAN OF COUNSEL), FOR  
PLAINTIFFS-APPELLANTS.

KEIDEL, WELDON & CUNNINGHAM, LLP, SYRACUSE (CHRISTOPHER B. WELDON OF  
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered March 29, 2011. The order granted defendants' motion for summary judgment dismissing plaintiffs' complaint.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (*see Hughes v Nussbaumer, Clarke & Velzy*, 140 AD2d 988; *Chase Manhattan Bank, N.A. v Roberts & Roberts*, 63 AD2d 566, 567; *see also CPLR 5501 [a] [1]*).

Entered: February 10, 2012

Frances E. Cafarell  
Clerk of the Court