

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

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CA 11-01846

PRESENT: SMITH, J.P., FAHEY, LINDLEY, AND MARTOCHE, JJ.

ROGER J. WIECHEC, PLAINTIFF-RESPONDENT,

V

ORDER

JOHN E. DOLINA, DEFENDANT.

MERCHANTS MUTUAL INSURANCE COMPANY, APPELLANT.

HAMBERGER & WEISS, BUFFALO (KRISTIN M. MACHELOR OF COUNSEL), FOR APPELLANT.

HODGSON RUSS LLP, BUFFALO (MICHAEL E. MAXWELL OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered December 22, 2010. The order granted the motion of plaintiff for permission to settle the action.

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: March 16, 2012

Frances E. Cafarell
Clerk of the Court