

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

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CA 11-01301

PRESENT: SMITH, J.P., CARNI, LINDLEY, AND SCONIERS, JJ.

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JASON BURLEW, ET AL., PLAINTIFFS,  
AND RICHARD KATCHUK, PLAINTIFF-RESPONDENT,

V

ORDER

TALISMAN ENERGY USA INC., DEFENDANT-APPELLANT.  
(APPEAL NO. 1.)

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HARRIS BEACH PLLC, ALBANY (JOHN T. MCMANUS OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

WILLIAMSON, CLUNE & STEVENS, ITHACA (JOHN H. HANRAHAN, III, OF  
COUNSEL), FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Steuben County  
(Kenneth R. Fisher, J.), entered April 19, 2011 in a breach of  
contract action. The order, among other things, granted the cross  
motion of plaintiff Richard Katchuk for partial summary judgment.

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: March 16, 2012

Frances E. Cafarell  
Clerk of the Court