

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

379

CA 11-02084

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

SOPRAMCO III, LLC, PLAINTIFF-APPELLANT,

V

ORDER

CAPITAL DISTRICT ORTHOTIC GROUP, INC.,
DEFENDANT-RESPONDENT.

WOODS OVIATT GILMAN LLP, ROCHESTER (ROBERT D. HOOKS OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

THE SUMMERS LAW FIRM, P.C., ALBANY (JOHN BELLUSCIO OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (David Michael Barry, J.), entered May 7, 2010 in a breach of contract action. The order denied plaintiff's motion for summary judgment.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Entered: March 16, 2012

Frances E. Cafarell
Clerk of the Court