

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

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CA 11-02186

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

ANGEL CORP, AS PARENT AND NATURAL GUARDIAN OF
TOMIANNE CORP, AN INFANT, PLAINTIFF-RESPONDENT,

V

ORDER

MATTHEW R. RATAJCZAK, DEFENDANT-APPELLANT,
MICHAEL MUSCATO, TANYA MUSCATO, JOSEPH G.
MUSCATO AND PATRICIA L. MUSCATO,
DEFENDANTS-RESPONDENTS.

BOUVIER PARTNERSHIP, LLP, BUFFALO (NORMAN E.S. GREENE OF COUNSEL), FOR
DEFENDANT-APPELLANT.

LAW OFFICES OF LAURIE G. OGDEN, BUFFALO (TARA E. WATERMAN OF COUNSEL),
FOR DEFENDANTS-RESPONDENTS.

LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (JOHN A. COLLINS OF COUNSEL),
FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered February 9, 2011 in a personal injury action. The order denied the motion of defendant Matthew R. Ratajczak for summary judgment dismissing plaintiff's complaint.

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

Entered: April 20, 2012

Frances E. Cafarell
Clerk of the Court