

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

1042

CA 11-02551

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, CARNI, AND SCONIERS, JJ.

GROVE PLACE TOWNHOMES, LLC,
PLAINTIFF-APPELLANT,

V

ORDER

WOODLARK PROPERTIES, II, LP,
DEFENDANT-RESPONDENT.

FIX SPINDELMAN BROVITZ & GOLDMAN, P.C., FAIRPORT (REUBEN ORTENBERG OF
COUNSEL), FOR PLAINTIFF-APPELLANT.

PHILLIPS LYTTLE LLP, BUFFALO (THOMAS R. CHIAVETTA OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered March 1, 2011 in a breach of contract action. The order, among other things, granted defendant's motion for summary judgment.

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: September 28, 2012

Frances E. Cafarell
Clerk of the Court