

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

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CA 13-01011

PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, LINDLEY, AND VALENTINO, JJ.

FIBERGLASS FABRICATORS, INC.,
PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

C.O. FALTER CONSTRUCTION CORP.,
DEFENDANT-RESPONDENT,
ET AL., DEFENDANTS.
(APPEAL NO. 1.)

BYRNE, COSTELLO & PICKARD, P.C., SYRACUSE (ZEA M. WRIGHT OF COUNSEL),
FOR PLAINTIFF-APPELLANT.

HANCOCK ESTABROOK, LLP, SYRACUSE (JANET D. CALLAHAN OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an amended order of the Supreme Court, Onondaga County (John C. Cherundolo, A.J.), entered August 23, 2012. The amended order, inter alia, dismissed the complaint of plaintiff and granted money damages to defendant C.O. Falter Construction Corp. after a nonjury trial.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same Memorandum as in *Fiberglass Fabricators, Inc. v C.O. Falter Constr. Corp.* ([appeal No. 2] ___ AD3d ___ [May 9, 2014]).

Entered: May 9, 2014

Frances E. Cafarell
Clerk of the Court