

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

**967**

**CA 14-00397**

PRESENT: SMITH, J.P., FAHEY, LINDLEY, VALENTINO, AND DEJOSEPH, JJ.

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SCOTT GREEN, INDIVIDUALLY AND AS FATHER AND  
NATURAL GUARDIAN OF MORGAN GREEN,  
CLAIMANT-RESPONDENT,

V

ORDER

GRAND ISLAND CENTRAL SCHOOL DISTRICT AND  
GRAND ISLAND SENIOR HIGH SCHOOL,  
RESPONDENTS-APPELLANTS.

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BAXTER SMITH & SHAPIRO, P.C., WEST SENECA, CONGDON, FLAHERTY,  
O'CALLAGHAN, REID, DONLON, TRAVIS & FISHLINGER, UNIONDALE (MICHAEL  
REGAN OF COUNSEL), FOR RESPONDENTS-APPELLANTS.

ANDREWS, BERNSTEIN, MARANTO & NICOTRA, PLLC, BUFFALO (ANDREW J.  
CONNELLY OF COUNSEL), FOR CLAIMANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered September 27, 2013. The order, insofar as appealed from, granted that part of the application of claimant seeking leave to serve a late notice of claim on behalf of Morgan Green.

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 26, 2014

Frances E. Cafarell  
Clerk of the Court