
This memorandum is uncorrected and subject to revision before
publication in the New York Reports.

No. 69 SSM 43
In the Matter of County of
Broome,
Respondent,
v.
Nirav R. Shah, &c., et al.,
Appellants.

Submitted by Victor Paladino, for appellants.
Respondent, precluded.

* * * * *

On review of submissions pursuant to section 500.11 of the Rules,
order reversed, without costs, petition dismissed in its
entirety, and a declaration made in favor of respondents Nirav R.
Shah, &c., et al. that section 61 of part D of Chapter 56 of the
Laws of 2012 has not been shown to be unconstitutional (see
Matter of County of Chemung v Shah, 28 NY3d 244 [2016]). Chief
Judge DiFiore and Judges Rivera, Abdus-Salaam, Garcia and Wilson
concur. Judges Stein and Fahey took no part.

Decided February 16, 2017