

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

D55069  
T/hu

\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - January 4, 2018

REINALDO E. RIVERA, J.P.  
JEFFREY A. COHEN  
ROBERT J. MILLER  
LINDA CHRISTOPHER, JJ.

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2015-05999

DECISION & ORDER

Darryl Abramowitz, et al., respondents, v Lefkowicz & Gottfried, LLP, et al., appellants (and a third-party action).

(Index No. 15385/11)

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Kaufman Dolowich & Voluck, LLP, New York, NY (Anthony J. Proscia of counsel),  
for appellants.

Brian J. Davis, P.C., Garden City, NY, for respondents.


In an action, inter alia, to recover damages for legal malpractice, the defendants appeal from an order of the Supreme Court, Nassau County (Arthur M. Diamond, J.), dated April 1, 2015. The order granted the plaintiffs' motion for leave to reargue the defendants' prior motion for summary judgment dismissing the complaint, which was granted in an order of the same court dated August 4, 2014, and, upon reargument, denied the defendants' motion.

ORDERED that the appeal is dismissed, without costs or disbursements.

The appeal must be dismissed, as the right of direct appeal therefrom terminated with the entry of the judgment in the action (*see Matter of Aho*, 39 NY2d 241, 248). The issues raised on the appeal are brought up for review and have been considered on the appeal from the judgment, decided herewith (*see CPLR 5501[a][1]; Abramowitz v Lefkowicz & Gottfried, LLP*, \_\_\_\_\_ AD3d \_\_\_\_\_ [Appellate Division Docket No. 2016-10250; decided herewith]).

RIVERA, J.P., COHEN, MILLER and CHRISTOPHER, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

April 18, 2018

ABRAMOWITZ v LEFKOWICZ & GOTTFRIED, LLP