

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

1035

CA 16-01067

PRESENT: SMITH, J.P., CENTRA, PERADOTTO, LINDLEY, AND CURRAN, JJ.

ALEX MURDOCK AND JEANNETTEA MURDOCK,
PLAINTIFFS-APPELLANTS,

V

ORDER

R&P OAK HILL DEVELOPMENT, LLC,
DEFENDANT-RESPONDENT.

ANDREWS, BERNSTEIN, MARANTO & NICOTRA, PLLC, BUFFALO (DONYELLE E. CRAPSI OF COUNSEL), FOR PLAINTIFFS-APPELLANTS.

HODGSON RUSS LLP, BUFFALO (PATRICK J. HINES OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered September 11, 2015. The order granted in part defendant's motion for summary judgment dismissing the amended complaint and denied plaintiffs' cross motion for partial summary judgment on the Labor Law §§ 240 (1) and 241 (6) claims.

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: November 10, 2016

Frances E. Cafarell
Clerk of the Court