

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

724

CA 16-02003

PRESENT: LINDLEY, J.P., DEJOSEPH, NEMOYER, AND CURRAN, JJ.

JAMES MORRIS AND DOROTHY A. MORRIS,
INDIVIDUALLY AND AS ADMINISTRATORS WITH LETTERS
OF ADMINISTRATION WITH LIMITATIONS OF THE ESTATE
OF KRISTY L. MORRIS, ALSO KNOWN AS KRISTY LOUISE
MORRIS, DECEASED, PLAINTIFFS-APPELLANTS,

V

MEMORANDUM AND ORDER

ONTARIO COUNTY, ET AL., DEFENDANTS,
RAMSEY CONSTRUCTORS, INC., AND PHELPS GUIDE
RAIL, INC., DEFENDANTS-RESPONDENTS.
(APPEAL NO. 3.)

MORRIS & MORRIS, ATTORNEYS, ROCHESTER (DEBORAH M. FIELD OF COUNSEL),
FOR PLAINTIFFS-APPELLANTS.

BURDEN, HAFNER & HANSEN, LLC, BUFFALO (PHYLISS A. HAFNER OF COUNSEL),
FOR DEFENDANT-RESPONDENT RAMSEY CONSTRUCTORS, INC.

RUSSO & TONER, LLP, BUFFALO (TIMOTHY P. WELCH OF COUNSEL), FOR
DEFENDANT-RESPONDENT PHELPS GUIDE RAIL, INC.

Appeal from an order of the Supreme Court, Ontario County
(Frederick G. Reed, A.J.), entered July 29, 2016. The order granted
the motions of defendants Ramsey Constructors, Inc., and Phelps Guide
Rail, Inc., for summary judgment.

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

Same memorandum as in *Morris v Ontario County* ([appeal No. 2] ____
AD3d ____ [July 7, 2017]).

Entered: July 7, 2017

Frances E. Cafarell
Clerk of the Court