

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

1003

CA 16-02207

PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, NEMOYER, AND CURRAN, JJ.

RES EXHIBIT SERVICES, LLC, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

GENESIS VISION, INC., DOING BUSINESS AS ROCHESTER
OPTICAL, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

NIXON PEABODY LLP, ROCHESTER (DAVID H. TENNANT OF COUNSEL), FOR
DEFENDANT-APPELLANT.

PHILLIPS LYTTLE LLP, ROCHESTER (CHAD W. FLANSBURG OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from a judgment of the Supreme Court, Monroe County
(Matthew A. Rosenbaum, J.), entered October 14, 2016. The judgment
awarded plaintiff the sum of \$426,683.36 as against defendant.

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

Same memorandum as in *RES Exhibit Services, LLC v Genesis Vision,
Inc.* ([appeal No. 3] ___ AD3d ___ [Nov. 9, 2017] [4th Dept 2017]).

Entered: November 9, 2017

Mark W. Bennett
Clerk of the Court