

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

607

CA 17-01933

PRESENT: CENTRA, J.P., CARNI, LINDLEY, AND CURRAN, JJ.

TINA KNAPP AND MICHAEL KNAPP,
PLAINTIFFS-APPELLANTS,

V

ORDER

FINGER LAKES NY, INC., DOING BUSINESS AS
DIVERSIFIED CONTRACTING CO., AND JOEL S.
SMITH, DEFENDANTS-RESPONDENTS.

HODGSON RUSS LLP, BUFFALO (RYAN K. CUMMINGS OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

TREVETT CRISTO, P.C., ROCHESTER (ERIC M. DOLAN OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered July 18, 2017. The order, insofar as appealed from, denied those parts of the motion of plaintiffs for summary judgment with respect to their breach of contract cause of action, seeking dismissal of the counterclaim and with respect to damages relating to the Lien Law cause of action.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Entered: April 27, 2018

Mark W. Bennett
Clerk of the Court