

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

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CA 18-01954

PRESENT: CENTRA, J.P., CARNI, LINDLEY, NEMOYER, AND TROUTMAN, JJ.

JOHN A. KELSEY AND MARY M. KELSEY,
PLAINTIFFS-RESPONDENTS,

V

MEMORANDUM AND ORDER

GERALD E. HOURIGAN, JR., INDIVIDUALLY, AND
DOING BUSINESS AS GERALD HOURIGAN DAIRY FARM,
PATRICIA J. HOURIGAN, GERALD E. HOURIGAN, JR.,
AND PATRICIA J. HOURIGAN, INDIVIDUALLY AND
DOING BUSINESS AS HOURIGAN'S UDDER PLACE,
DEFENDANTS-APPELLANTS.
(APPEAL NO. 2.)

COSTELLO, COONEY & FEARON, PLLC, CAMILLUS (JAMES GASCON OF COUNSEL),
FOR DEFENDANTS-APPELLANTS.

JOHN A. MAYA, UTICA, FOR PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered October 11, 2018. The order denied defendants' motion for leave to renew and reargue their motion for summary judgment.

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

Same memorandum as in *Kelsey v Hourigan* ([appeal No. 1] - AD3d - [Aug. 22, 2019] [4th Dept 2019]).

Entered: August 22, 2019

Mark W. Bennett
Clerk of the Court