

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

724

CA 18-01648

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

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SUZANNE P., ADMINISTRATRIX OF THE ESTATE OF  
MITCHELL P., DECEASED, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

JOINT BOARD OF DIRECTORS OF ERIE-WYOMING COUNTY  
SOIL CONSERVATION DISTRICT, ALSO KNOWN AS  
ERIE-WYOMING JOINT WATERSHED BOARD, ET AL.,  
DEFENDANTS,  
AND ERIE COUNTY SOIL & WATER CONSERVATION DISTRICT,  
DEFENDANT-RESPONDENT.  
(APPEAL NO. 2.)

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PAUL WILLIAM BELTZ, P.C., BUFFALO (WILLIAM A. QUINLAN OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

KENNEY SHELTON LIPTAK NOWAK LLP, BUFFALO (JUSTIN L. HENDRICKS OF  
COUNSEL), FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered April 10, 2018. The order granted the motion of defendant Erie County Soil & Water Conservation District for summary judgment.

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

Same memorandum as in *Suzanne P. v Joint Bd. of Directors of Erie-Wyoming County Soil Conservation Dist.* ([appeal No. 1] – AD3d – [Aug. 22, 2019] [4th Dept 2019]).

Entered: August 22, 2019

Mark W. Bennett  
Clerk of the Court