

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

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CA 19-00819

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

NHJB, INC., DOING BUSINESS AS MOLLY'S PUB, AND
NORMAN HABIB, PLAINTIFFS-RESPONDENTS,

V

MEMORANDUM AND ORDER

UTICA FIRST INSURANCE COMPANY, DEFENDANT-APPELLANT.
(APPEAL NO. 1.)

FARBER BROCKS & ZANE, LLP, GARDEN CITY (AUDRA ZANE OF COUNSEL), FOR
DEFENDANT-APPELLANT.

LIPPES MATHIAS WEXLER FRIEDMAN LLP, BUFFALO (BRENDAN H. LITTLE OF
COUNSEL), FOR PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Mark A. Montour, J.), entered March 22, 2019. The order, among other things, granted in part plaintiffs' motion for partial summary judgment and denied defendant's cross motion for summary judgment.

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

Same memorandum as in *NHJB, Inc. v Utica First Ins. Co.* ([appeal No. 4] - AD3d - [Oct. 2, 2020] [4th Dept 2020]).

Entered: October 2, 2020

Mark W. Bennett
Clerk of the Court