

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

**270**

**CA 20-00711**

PRESENT: PERADOTTO, J.P., CARNI, NEMOYER, TROUTMAN, AND WINSLOW, JJ.

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IN THE MATTER OF JAMES KAUFMANN,  
PETITIONER-RESPONDENT,

V

ORDER

CITY OF BUFFALO AND CITY OF BUFFALO CIVIL  
SERVICE COMMISSION, RESPONDENTS-APPELLANTS.

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TIMOTHY A. BALL, CORPORATION COUNSEL, BUFFALO (J. CHRISTINE CHIRIBOGA  
OF COUNSEL), FOR RESPONDENTS-APPELLANTS.

THE LAW OFFICE OF CHRISTEN ARCHER PIERROT, ORCHARD PARK (CHRISTEN A.  
PIERROT OF COUNSEL), FOR PETITIONER-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Mark A. Montour, J.), entered November 6, 2019 in a proceeding pursuant to CPLR article 78. The order granted the motion of petitioner for partial summary judgment and directed that a hearing be held on the issue of damages.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see CPLR 5701 [b] [1]).

Entered: March 19, 2021

Mark W. Bennett  
Clerk of the Court