

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

419

CA 21-00495

PRESENT: SMITH, J.P., CENTRA, PERADOTTO, NEMOYER, AND BANNISTER, JJ.

CHARLES A. MCKAY, JR., PLAINTIFF-RESPONDENT,

V

ORDER

FINGER LAKES TRAFFIC CONTROL LLC,
DEFENDANT-APPELLANT,
SENECA STONE CORPORATION, DEFENDANT-RESPONDENT,
ET AL., DEFENDANTS.

SMITH SOVIK KENDRICK & SUGNET, P.C., SYRACUSE (DAVID M. KATZ OF
COUNSEL), FOR DEFENDANT-APPELLANT.

WILLIAM MATTAR, P.C., ROCHESTER (MATTHEW J. KAISER OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

THE LAW FIRM OF JANICE M. IATI, P.C., PITTSFORD (ELIZABETH K.
OGNEVSKI OF COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Yates County (Jason L. Cook, A.J.), entered March 25, 2021. The order, among other things, denied the motion of defendant Finger Lakes Traffic Control LLC for summary judgment.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: April 22, 2022

Ann Dillon Flynn
Clerk of the Court