

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

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**CA 23-01486**

PRESENT: CURRAN, J.P., OGDEN, DELCONTE, AND HANNAH, JJ.

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VINCENT CREHAN AND KATHRYN EHRIG,  
PLAINTIFFS-APPELLANTS,

V

MEMORANDUM AND ORDER

JEFFREY B. RICHARDSON, ET AL., DEFENDANTS,  
AND MARK L. STULMAKER, DEFENDANT-RESPONDENT.  
(APPEAL NO. 3.)

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ZDARSKY, SAWICKI & AGOSTINELLI LLP, BUFFALO (GERALD T. WALSH OF  
COUNSEL), FOR PLAINTIFFS-APPELLANTS.

SUGARMAN LAW FIRM, LLP, BUFFALO (BRIAN SUTTER OF COUNSEL), FOR  
DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Emilio Colaiacovo, J.), entered August 16, 2023. The order granted the motion of defendant Mark L. Stulmaker to dismiss the complaint against him.

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

Same memorandum as in *Crehan v Richardson* ([appeal No. 1] – AD3d – [Mar. 14, 2025] [4th Dept 2025]).

Entered: March 14, 2025

Ann Dillon Flynn  
Clerk of the Court