

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

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CA 24-00941

PRESENT: CURRAN, J.P., BANNISTER, SMITH, AND HANNAH, JJ.

CHRISTINE OWEN, INDIVIDUALLY, DERIVATIVELY
AS A SHAREHOLDER OF ROHM SERVICES CORPORATION
AND RHH MENDON PROPERTIES, INC., AND AS EXECUTOR
OF THE ESTATE OF BARBARA A. HURLBUT, DECEASED,
PLAINTIFF-APPELLANT,

V

ORDER

ROBERT W. HURLBUT AND HURLBUT HEALTH
CONSULTING, LLC, DEFENDANTS-RESPONDENTS.

LIPPES MATHIAS LLP, ROCHESTER (KELLY S. FOSS OF COUNSEL), AND HARRIS
BEACH PLLC, PITTSFORD, FOR PLAINTIFF-APPELLANT.

PULLANO & FARROW, EAST ROCHESTER (CHRISTIAN VALENTINO OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Monroe County
(Christopher S. Ciaccio, A.J.), entered October 5, 2023 in an action
for damages for, inter alia, breach of fiduciary duty. The order
denied the motions of plaintiff to supplement the motion record and to
disqualify counsel for defendants.

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: July 25, 2025

Ann Dillon Flynn
Clerk of the Court