

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

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CA 24-01835

PRESENT: MONTOUR, J.P., SMITH, GREENWOOD, NOWAK, AND HANNAH, JJ.

BRIAN DOWD AND SUSAN DOWD, PLAINTIFFS-APPELLANTS,

V

ORDER

JEFFREY KLAY, DEFENDANT-RESPONDENT.

VINAL & VINAL, P.C., BUFFALO (OLIVIA M. MULLEN OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

HURWITZ FINE P.C., BUFFALO (BRIAN M. WEBB OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Edward Pace, J.), dated October 23, 2024. The order, inter alia, granted the cross-motion of defendant for summary judgment dismissing the complaint.

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: February 11, 2026

Ann Dillon Flynn
Clerk of the Court