

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

748

CA 24-01271

PRESENT: BANNISTER, J.P., MONTOUR, NOWAK, AND DELCONTE, JJ.

ROBERT GROSS AND LORI E. WEIDNER,
PLAINTIFFS-APPELLANTS,

V

ORDER

BUILDING SOLUTIONS, INC., AND TODD R. HUBER,
AS PRESIDENT, DEFENDANTS-RESPONDENTS.

LIPPES & LIPPES, BUFFALO (JOSHUA R. LIPPES OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

LAW OFFICE OF RALPH C. LORIGO, WEST SENECA (FRANK J. JACOBSON OF
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Kelly A. Vacco, J.), entered July 2, 2024, in a negligence, nuisance, and trespass action. The order granted the motion of defendants for summary judgment and dismissed 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: October 3, 2025

Ann Dillon Flynn
Clerk of the Court