

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

960

CA 13-00296

PRESENT: SMITH, J.P., PERADOTTO, CARNI, AND LINDLEY, JJ.

NEWBURY PLACE REO II, LLC, PLAINTIFF,

V

ORDER

ALI A. ZAHRAN, ALSO KNOWN AS
ALI ZAHRAN, DEFENDANT.

ALI A. ZAHRAN, THIRD-PARTY PLAINTIFF-RESPONDENT,

V

MICHAEL VISCOME AND LISA M. VISCOME, THIRD-PARTY
DEFENDANTS-APPELLANTS,
ET AL., THIRD-PARTY DEFENDANTS.

DEMARIE & SCHOENBORN, P.C., BUFFALO (JOSEPH DEMARIE OF COUNSEL), FOR
THIRD-PARTY DEFENDANTS-APPELLANTS.

MYERS, QUINN & SCHWARTZ, LLP, WILLIAMSVILLE (JAMES I. MYERS OF
COUNSEL), FOR THIRD-PARTY PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered September 5, 2012. The order denied the motion of third-party defendants Michael Viscome and Lisa M. Viscome for summary judgment dismissing the third-party complaint against them.

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

Entered: September 27, 2013

Frances E. Cafarell
Clerk of the Court