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

## 1297

CA 14-01043

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, VALENTINO, AND WHALEN, JJ.

MARK BRADSTREET, AS PARENT AND NATURAL GUARDIAN OF MARK WESLEY BRADSTREET, PLAINTIFF-RESPONDENT,

V

ORDER

HONEOYE FALLS LIMA CENTRAL SCHOOL DISTRICT, DEFENDANT-APPELLANT.

PETRONE & PETRONE, P.C., WILLIAMSVILLE, CONGDON, FLAHERTY, O'CALLAGHAN, REID, DONLON, TRAVIS & FISHLINGER, UNIONDALE (CHRISTINE GASSER OF COUNSEL), FOR DEFENDANT-APPELLANT.

TREVETT CRISTO SALZER & ANDOLINA, P.C., ROCHESTER (MICHAEL F. GERACI OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered January 23, 2014. The order denied the motion of defendant for summary judgment.

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

Frances E. Cafarell Clerk of the Court