

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

788

CA 16-02060

PRESENT: PERADOTTO, J.P., CARNI, LINDLEY, TROUTMAN, AND SCUDDER, JJ.

KRISTEN SMITH, NOW KNOWN AS KRISTEN BURGEAIS,
PLAINTIFF-APPELLANT,

V

ORDER

TRAVELERS CASUALTY AND SURETY COMPANY,
DEFENDANT-RESPONDENT,
ET AL., DEFENDANT.
(APPEAL NO. 1.)

MICHELE E. DETRAGLIA, UTICA, FOR PLAINTIFF-APPELLANT.

RUPP BAASE PFALZGRAF CUNNINGHAM LLC, BUFFALO (ANTHONY G. MARECKI OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered March 15, 2016. The order granted the motion of defendant Travelers Casualty and Surety Company 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 at Supreme Court.

Entered: June 9, 2017

Frances E. Cafarell
Clerk of the Court