

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

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CA 17-00913

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

KAUFMANN'S CAROUSEL, INC., PLAINTIFF-RESPONDENT,

V

ORDER

CAROUSEL CENTER COMPANY LP, DEFENDANT-APPELLANT,
ET AL., DEFENDANT.

COSTELLO, COONEY & FEARON, PLLC, SYRACUSE (NICOLE MARLOW-JONES OF
COUNSEL), FOR DEFENDANT-APPELLANT.

HARRIS BEACH PLLC, PITTSFORD (DOUGLAS A. FOSS OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from a judgment (denominated order) of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered February 1, 2017. The judgment, inter alia, granted that part of the motion of plaintiff for partial summary judgment declaring that defendant Carousel Center Company LP could not recover from plaintiff legal fees incurred by defendant City of Syracuse Industrial Development Agency.

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

Entered: February 2, 2018

Mark W. Bennett
Clerk of the Court