

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

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CA 17-00822

PRESENT: WHALEN, P.J., SMITH, LINDLEY, DEJOSEPH, AND CURRAN, JJ.

MAXIMUM INCOME PARTNERS, INC.,
PLAINTIFF-APPELLANT,

V

ORDER

CARL E. WEBBER, ET AL., DEFENDANTS,
MARIO CURCIO AND NICOLE CURCIO,
DEFENDANTS-RESPONDENTS.
(APPEAL NO. 2.)

SILVER & FELDMAN, ROCHESTER (MICHAEL A. ROSENHOUSE OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

PHETERSON SPATORICO LLP, ROCHESTER (DERRICK A. SPATORICO OF COUNSEL),
FOR DEFENDANTS-RESPONDENTS.

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered August 1, 2016. The judgment denied the motion of plaintiff for summary judgment and granted the cross motion of defendants-respondents for summary judgment declaring, inter alia, the priority of liens.

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