

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

711

CA 21-01113

PRESENT: SMITH, J.P., PERADOTTO, NEMOYER, CURRAN, AND BANNISTER, JJ.

PHILLIP LAPE, PLAINTIFF-RESPONDENT,

V

ORDER

STRUCTURED ASSET FUNDING, LLC, DOING
BUSINESS AS 123 LUMP SUM, DEFENDANT-APPELLANT,
INSURANCE COMPANY OF NORTH AMERICA, AND LIFE
INSURANCE COMPANY OF NORTH AMERICA, DEFENDANTS.

BARCLAY DAMON, LLP, SYRACUSE (JON P. DEVENDORF OF COUNSEL), FOR
DEFENDANT-APPELLANT.

EDWARD STONE LAW P.C., NEW YORK CITY (EDWARD S. STONE OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered July 28, 2021. The order denied the motion of defendant Structured Asset Funding, LLC, doing business as 123 Lumpsum seeking summary judgment dismissing the complaint against it.

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

Entered: September 30, 2022

Ann Dillon Flynn
Clerk of the Court