

State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: May 23, 2002

90686

CHRISTOPHER LYDECKER,
Appellant,

v

MEMORANDUM AND ORDER

STEWART'S ICE CREAM COMPANY
INC.,
Respondent.

Calendar Date: March 26, 2002

Before: Mercure, J.P., Crew III, Peters, Spain and Lahtinen, JJ.

Grasso, Rodriguez & Grasso, Schenectady (Mark A. Juda of counsel), for appellant.

Law Office of F. Douglas Novotny, Albany (Andrew Zajac of Fiedelman & McGaw, Jericho, of counsel), for respondent.


Appeal from an order of the Supreme Court (Caruso, J.), entered February 1, 2001 in Schenectady County, which granted defendant's motion for summary judgment dismissing the complaint.

Order affirmed, upon the opinion of Justice Vito C. Caruso.

Mercure, J.P., Crew III, Peters, Spain and Lahtinen, JJ.,
concur.

ORDERED that the order is affirmed, with costs.

ENTER:



Michael J. Novack
Clerk of the Court