

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF PUTNAM

Patricia A. Friederich,

Plaintiff,

- against -

Robert Bondi, Supervisor of Putnam County
and New York State Department of
Transportation.

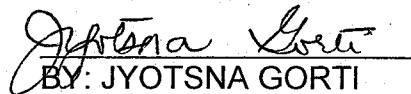
Defendant.

**DECISION AND ORDER
WITH NOTICE OF ENTRY**
Index No. 931/2009

Please Take Notice, that the within is a true copy of the Decision and Order duly filed and entered in the above-entitled matter with the Putnam County Clerk on the 30th day of September 2009.

Dated: White Plains, New York
October 15, 2009

ANDREW M. CUOMO
Attorney General of the
State of New York
Attorney for Defendant


BY: JYOTSNA GORTI

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JG

DECISION AND ORDER

PUTNAM COUNTY
CLERK
2009 SEP 30 PM 4:37

To commence the statutory period of appeals as of right CPLR (5515 [a]), you are advised to serve a copy of this order, with notice of entry, upon all parties.

RECEIVED
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NYS OFFICE OF THE ATTORNEY GENERAL
WESTCHESTER REGIONAL OFFICE

**SUPREME COURT OF THE STATE OF NEW YORK
IAS PART, PUTNAM COUNTY**

**Present: Hon. Andrew P. O'Rourke
Supreme Court Justice**

-----X
PATRICIA A. FRIEDERICH,

Plaintiff,

-against-

INDEX NO.: 931/2009
MOTION
DATE: 9/24/2009

ROBERT BONDI, SUPERVISOR OF PUTNAM COUNTY
AND NEW YORK STATE DEPARTMENT OF
TRANSPORTATION.

Defendant.
-----X

The following documents numbered 1 to 5 read on this motion by NYSDOT to dismiss the complaint.

- Notice of Motion- Affidavits 1-2
- Cross Motion
- Answering Affidavits
- Replying Affidavits
- Affidavits
- Pleadings-Exhibits-Stipulations-Minutes 3-5
- Briefs: Plaintiff
- Defendant

Motion is decided as follows:

The New York State Department of Transportation moves for an order dismissing the complaint herein as to it. NYSDOT states no allegations or causes of action have been plead against it.

The motion was served on Plaintiff and the Defendant Bondi on June 10, 2009 and no objection or opposition has been interposed by Plaintiff or Defendant Bondi.

The motion of NYSDOT for dismissal of the claim as to it is granted.

This constitutes the decision and order of the Court.



Andrew P. O'Rourke
Justice of the Supreme Court

Dated: September 28, 2009
Carmel, NY

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