

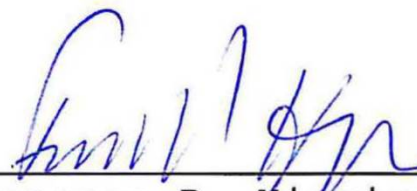
SHERRY COLTON  
THOMAS COLTON,

Defendants.

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Please take notice that an **Order for Additur** o  
within is a copy, was duly granted in the within entitled  
the **20th** day of **February, 2019**, and duly entered in th  
the Clerk of the County of **Erie** through New York S  
Electronic Filing system (NYSCEF) on the **20th** day o  
**2019**.

DATED: Buffalo, New York  
February 20, 2019

  
Terrence P. Higgins  
**THE HIGGINS KANE LAW**  
Attorneys for Plain  
69 Delaware Avenue;  
Buffalo, New York  
716-745-4545

STATE OF NEW YORK  
SUPREME COURT :: COUNTY OF ERIE

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ROSEANN MAURER,

Plaintiff,

vs.

KENDALL COLTON  
SHERRY COLTON  
THOMAS COLTON,

Defendants.

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**ORDER FOR ADDITUR**

Index No.: 800663/2017

Assigned Justice:  
Hon. Mark A. Montour, J.S.

Plaintiff having moved this Court by Notice of Motion dated December 7, 2018, for an Order of additur to the jury verdict rendered on November 19, 2018, and/or ordering the issue of damages owed to plaintiff, and

Now, upon reviewing plaintiff's Notice of Motion and Affirmation of Terrence P. Higgins, Esq. dated December 7, 2018 with attached exhibits on behalf of plaintiff in support thereof; and the Affirmation of Elise Cassar, Esq. dated January 14, 2019 on behalf of defendant in opposition thereto; and the Reply Affirmation of Terrence P. Higgins, Esq. dated January 14, 2019 with attached exhibit in further support of said motion; and

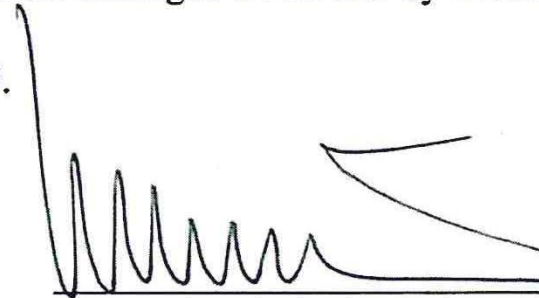
ORDERED that additur is made for future pain and suffering increasing to  
from \$266,305 to \$480,000, and it is further

ORDERED that the jury verdict for past pain and suffering shall remain as  
jury in the amount of \$108,695, and it is further

ORDERED that the modified total verdict shall be \$718,695; and it is further

ORDERED that defendants shall have 20 days from service of the executed  
in writing as to their agreement to additur herein, and if defendants do not agree to  
set forth, then plaintiff shall be granted a new trial on damages owed her by defendant.

Granted this 20<sup>th</sup> day of February, 2019.



Hon. Mark A. Montour  
Justice of the Supreme Court