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This memorandum is uncorrected and subject to revision before
publication in the New York Reports.

No. 230 SSM 47
Coriey Reynolds et al.,
Appellants,
v.
Millard J. Knibbs et al.,
Respondents.

Submitted by Robert L. Voltz, for appellants.
Submitted by Norman E. S. Greene, for respondents.

MEMORANDUM:

The order of the Appellate Division should be reversed,
with costs, and defendants' motion for summary judgment denied.
Plaintiffs raised a triable issue of fact as to whether
defendants had constructive notice of the alleged defect in the
stairs (see Gordon v American Museum of Natural History, 67 NY2d

836, 837 [1986])).

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On review of submissions pursuant to section 500.11 of the Rules, order reversed, with costs, and defendants' motion for summary judgment denied, in a memorandum. Chief Judge Lippman and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided October 26, 2010