

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D12671
E/mv

_____AD3d_____

Submitted - October 11, 2006

HOWARD MILLER, J.P.
FRED T. SANTUCCI
GLORIA GOLDSTEIN
PETER B. SKELOS
ROBERT J. LUNN, JJ.

2005-03721

DECISION & ORDER

Eugenia Dumbadze, appellant, v New York City
Health and Hospital Corporation, defendant;
Parker & Waichman, LLP, nonparty-respondent.

(Index No. 23679/99)

Duffy & Amedeo, LLP, New York, N.Y. (Todd Duffy of counsel), for appellant.

Parker & Waichman, LLP (Arnold E. DiJoseph, P.C., New York, N.Y., of counsel),
respondent pro se.

In an action, inter alia, to recover damages for medical malpractice, the plaintiff
appeals from an order of the Supreme Court, Queens County (LeVine, J.), dated March 15, 2005,
which granted the motion of Parker & Waichman, LLP, for leave to withdraw as her counsel.

ORDERED that the order is affirmed, with costs.

Based on the record, the court providently exercised its discretion in granting the
motion of Parker & Waichman, LLP, for leave to withdraw as the plaintiff's counsel (*see* 22 NYCRR
§ 1200.15[c][1][iv], [c][6] [Code of Professional Responsibility DR 2-110]; *Green v Gasparini*, 24
AD3d 505, 506; *McCormack v Kamalian*, 10 AD3d 679; *Winters v Rise Steel Erection Corp.*, 231
AD2d 626; *Sansiviero v Sanders*, 117 AD2d 794, 795).

MILLER, J.P., SANTUCCI, GOLDSTEIN, SKELOS and LUNN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

November 21, 2006

DUMBADZE v NEW YORK CITY HEALTH AND HOSPITAL CORPORATION