

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

D23273  
C/kmg

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Argued - April 17, 2009

ROBERT A. SPOLZINO, J.P.  
FRED T. SANTUCCI  
ANITA R. FLORIO  
RUTH C. BALKIN, JJ.

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2008-10477

DECISION & ORDER

Inger Robinson-Reese, respondent,  
v William Kopp, etc., et al., appellants.

(Index No. 5184/07)

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Finder and Cuomo, LLP, New York, N.Y. (Sherri A. Jayson of counsel), for appellants.

Lufty & Santora, Staten Island, N.Y. (Joseph Santora of counsel), for respondent.

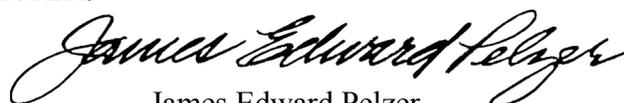
In an action, inter alia, to recover damages for dental malpractice, the defendants appeal from an order of the Supreme Court, Queens County (Satterfield, J.), dated October 16, 2008, which denied their motion for summary judgment dismissing the complaint.

ORDERED that the order is affirmed, with costs.

The Supreme Court properly denied the defendants' motion for summary judgment dismissing the complaint based on the conflicting opinions of the defendants' and the plaintiff's experts (*see Roca v Perel*, 51 AD3d 757; *Bengston v Wang*, 41 AD3d 625; *Graham v Mitchell*, 37 AD3d 408; *Feinberg v Feit*, 23 AD3d 517, 518; *see generally Alvarez v Prospect Hosp.*, 68 NY2d 320, 324).

SPOLZINO, J.P., SANTUCCI, FLORIO and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

May 26, 2009

ROBINSON-REESE v KOPP