

**SUPREME COURT OF THE STATE OF NEW YORK**  
*Appellate Division, Fourth Judicial Department*

1063

CA 11-02564

PRESENT: SCUDDER, P.J., SMITH, FAHEY, LINDLEY, AND MARTOCHE, JJ.

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JUDITH M. JAROSZ, PLAINTIFF-APPELLANT,

V

ORDER

KATHARINA M. DOYLE, M.D., CHRISTOPHER J.  
WERTH, M.D., BUFFALO ANESTHESIA ASSOCIATES  
AND KALEIDA HEALTH, DEFENDANTS-RESPONDENTS.

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LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (JOHN A. COLLINS OF COUNSEL),  
FOR PLAINTIFF-APPELLANT.

ROACH, BROWN, MCCARTHY & GRUBER, P.C., BUFFALO (JOEL J. JAVA, JR., OF  
COUNSEL), FOR DEFENDANTS-RESPONDENTS CHRISTOPHER J. WERTH, M.D. AND  
KALEIDA HEALTH.

CONNORS & VILARDO, LLP, BUFFALO (MICHAEL J. ROACH OF COUNSEL), FOR  
DEFENDANTS-RESPONDENTS KATHARINA M. DOYLE, M.D. AND BUFFALO ANESTHESIA  
ASSOCIATES.

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Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered March 18, 2011 in a medical malpractice action. The order granted the motions of defendants for summary judgment and dismissed the amended complaint.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated at Supreme Court.

Entered: September 28, 2012

Frances E. Cafarell  
Clerk of the Court