

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

916

CA 11-01939

PRESENT: SMITH, J.P., PERADOTTO, CARNI, LINDLEY, AND MARTOCHE, JJ.

LYUDMILA V. BLYASHUK AND YEVEGNIY BLYASHUK,
PLAINTIFFS-RESPONDENTS,

V

MEMORANDUM AND ORDER

GURPREET DHALIWAL, M.D., DILARA SAMADI, M.D.,
BUFFALO MEDICAL GROUP, DEFENDANTS-APPELLANTS,
RALPH SPERRAZZA, M.D. AND CATHOLIC HEALTH
SYSTEM, DOING BUSINESS AS SISTERS HOSPITAL OF
BUFFALO, DEFENDANTS.
(APPEAL NO. 2.)

GIBSON, MCASKILL & CROSBY, LLP, BUFFALO (ANGELO S. GAMBINO OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

LOTEMPPIO & BROWN, P.C., BUFFALO (MICHAEL H. KOOSHOIAN OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered July 20, 2011 in a medical malpractice action. The order, insofar as appealed from, granted that part of plaintiffs' motion to compel defendants Gurpreet Dhaliwal, M.D., Dilara Samadi, M.D. and Buffalo Medical Group to produce certain documents regarding laparoscopic surgeries performed by Dilara Samadi, M.D.

It is hereby ORDERED that the order insofar as appealed from is unanimously reversed on the law without costs and that part of the motion seeking to compel defendants to produce all documents regarding all laparoscopic surgeries performed by defendant Dilara Samadi, M.D. while he was an employee and shareholder of defendant Buffalo Medical Group, including, but not limited to, operative reports and billing records from 1997 through February 12, 2008, with patient names and identifying information redacted, is denied.

Same Memorandum as in *Blyashuk v Dhaliwal* ([appeal No. 1] ____
AD3d ____ [Oct. 5, 2012]).

Entered: October 5, 2012

Frances E. Cafarell
Clerk of the Court