

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

**313**

**CA 17-00710**

PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, CURRAN, AND TROUTMAN, JJ.

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BRANDI LEE GROFF AND BRANDON T. GROFF,  
PLAINTIFFS-RESPONDENTS,

V

MEMORANDUM AND ORDER

KALEIDA HEALTH, DOING BUSINESS AS WOMEN AND  
CHILDREN'S HOSPITAL OF BUFFALO, ET AL., DEFENDANTS,  
UNIVERSITY GYNECOLOGISTS & OBSTETRICIANS, INC.,  
FAYE JUSTICA-LINDE, M.D., AND DENNIS MAURICIO, M.D.,  
DEFENDANTS-APPELLANTS.  
(APPEAL NO. 2.)

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SUGARMAN LAW FIRM, LLP, BUFFALO (BRIAN SUTTER OF COUNSEL), FOR  
DEFENDANTS-APPELLANTS.

DEMPSEY & DEMPSEY, BUFFALO (PATRICK MALONEY OF COUNSEL), FOR  
PLAINTIFFS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered February 13, 2017. The order denied the motion of defendants University Gynecologists & Obstetricians, Inc., Faye Justica-Linde, M.D., and Dennis Mauricio, M.D., for summary judgment dismissing the complaint against them.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Same memorandum as in *Groff v Kaleida Health* ([appeal No. 1] - AD3d - [May 4, 2018] [4th Dept 2018]).

Entered: May 4, 2018

Mark W. Bennett  
Clerk of the Court