

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

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CA 20-00110

PRESENT: CARNI, J.P., LINDLEY, CURRAN, TROUTMAN, AND BANNISTER, JJ.

SANDRA RAMSEY, INDIVIDUALLY, AND JAMES A.
RAMSEY, AS EXECUTOR OF THE ESTATE OF ERNEST H.
RAMSEY, DECEASED, PLAINTIFFS-RESPONDENTS,

V

ORDER

VICKY K. STEPHENS, P.A., DELPHI HEALTHCARE, PLLC,
JANET K. REISMAN, R.N., JONES MEMORIAL HOSPITAL,
AND THE MEMORIAL HOSPITAL OF WILLIAM F. AND
GERTRUDE F. JONES, INC., DOING BUSINESS AS JONES
MEMORIAL HOSPITAL, DEFENDANTS-APPELLANTS.

HIRSCH & TUBIOLO, P.C., ROCHESTER (BRYAN S. KORNFIELD OF COUNSEL), FOR
DEFENDANTS-APPELLANTS VICKY K. STEPHENS, P.A., AND DELPHI HEALTHCARE,
PLLC.

COLUCCI & GALLAHER, P.C., BUFFALO (MARYLOU K. ROSHIA OF COUNSEL), FOR
DEFENDANTS-APPELLANTS JANET K. REISMAN, R.N., JONES MEMORIAL HOSPITAL,
AND THE MEMORIAL HOSPITAL OF WILLIAM F. AND GERTRUDE F. JONES, INC.,
DOING BUSINESS AS JONES MEMORIAL HOSPITAL.

BLACK, LYLE & HABBERFIELD, LLP, OLEAN (KEVIN M. HABBERFIELD OF
COUNSEL), FOR PLAINTIFFS-RESPONDENTS.

Appeals from an order of the Supreme Court, Allegany County
(Thomas P. Brown, A.J.), entered December 31, 2019. The order denied
the motion of defendants Vicky K. Stephens, P.A., and Delphi
Healthcare, PLLC, for summary judgment and denied in part the motion
of defendants Janet K. Reisman, R.N., Jones Memorial Hospital, and the
Memorial Hospital of William F. and Gertrude F. Jones, Inc., doing
business as Jones Memorial Hospital, for summary judgment.

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

Entered: February 5, 2021

Mark W. Bennett
Clerk of the Court