

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

1045

CA 21-00431

PRESENT: SMITH, J.P., NEMOYER, CURRAN, AND WINSLOW, JJ.

ROBERT MALONEY AND MARILYN MALONEY,
PLAINTIFFS-RESPONDENTS,

V

ORDER

DEAN DEROBERTS, M.D., JENA MURPHY, FNP-C, AND
DEROBERTS PLASTIC SURGERY, PLLC, NOW KNOWN AS
SYRACUSE PLASTIC SURGERY, PLLC,
DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.

ADDELMAN CROSS & BALDWIN, PC, BUFFALO (JESSE B. BALDWIN OF COUNSEL),
FOR DEFENDANTS-APPELLANTS.

ROBERT E. LAHM, PLLC, SYRACUSE (ROBERT E. LAHM OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Onondaga County (Gerard J. Neri, J.), entered February 9, 2021. The order denied the motion of defendants Dean DeRoberts, M.D., Jena Murphy, FNP-C, and DeRoberts Plastic Surgery, PLLC, now known as Syracuse Plastic Surgery, PLLC, to dismiss in part the amended complaint against them.

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

Entered: December 23, 2021

Ann Dillon Flynn
Clerk of the Court