

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

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CA 23-02096

PRESENT: BANNISTER, J.P., SMITH, OGDEN, NOWAK, AND HANNAH, JJ.

ZAKORY WIRFEL, AS ADMINISTRATOR OF THE
ESTATE OF DANIEL T. WIRFEL, DECEASED,
PLAINTIFF-RESPONDENT,

V

ORDER

LAKSHMANA RAO KONERU, M.D., ABBOTT ANESTHESIOLOGISTS
ASSOCIATES, P.C., DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.
(APPEAL NO. 2.)

ROACH, BROWN, MCCARTHY & GRUBER, P.C., BUFFALO (HEDWIG M. AULETTA OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

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

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered November 1, 2023. The order, insofar as appealed from, denied in part the motion of defendants Lakshmana Rao Koneru, M.D., and Abbott Anesthesiologists Associates, P.C., 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: January 31, 2025

Ann Dillon Flynn
Clerk of the Court