

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

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CA 24-01767

PRESENT: MONTOUR, J.P., SMITH, GREENWOOD, NOWAK, AND KEANE, JJ.

M.H., AN INFANT, BY HIS MOTHER AND NATURAL GUARDIAN,
SHANIQUE B., AND SHANIQUE B., INDIVIDUALLY,
PLAINTIFFS-RESPONDENTS,

V

MEMORANDUM AND ORDER

MAGDI E. SAYEGH, M.D., ADEL E. CHOUCANI, M.D.,
AND CHOUCANI, SAYEGH & BAGNARELLO, M.D., LLP,
DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.
(APPEAL NO. 2.)

THE TARANTINO LAW FIRM, LLP, BUFFALO (TAMSIN J. HAGER OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

POLLACK POLLACK ISAAC & DECICCO, LLP, NEW YORK CITY (BRIAN J. ISAAC OF
COUNSEL), FOR PLAINTIFFS-RESPONDENTS.

Appeal from an order of the Supreme Court, Erie County (John B. Licata, J.), entered October 15, 2024, in a medical malpractice action. The order, insofar as appealed from, denied in part the motion of defendants-appellants for summary judgment.

It is hereby ORDERED that the order insofar as appealed from is unanimously reversed on the law without costs, the motion is granted in its entirety, and the complaint against defendants-appellants is dismissed.

Same memorandum as in *M.H. v Sayegh* ([appeal No. 1] – AD3d – [Nov. 21, 2025] [4th Dept 2025]).

Entered: November 21, 2025

Ann Dillon Flynn
Clerk of the Court