

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

194

CA 23-01587

PRESENT: LINDLEY, J.P., BANNISTER, GREENWOOD, NOWAK, AND KEANE, JJ.

LEW WRIGHT, AS EXECUTOR OF THE ESTATE OF
SANDRA RAMSEY, DECEASED, AND JAMES A. RAMSEY,
AS EXECUTOR OF THE ESTATE OF ERNEST H.
RAMSEY, DECEASED, PLAINTIFFS-APPELLANTS,

V

MEMORANDUM AND ORDER

VICKY K. STEPHENS, P.A., DELPHI HEALTHCARE, PLLC,
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, DEFENDANTS-RESPONDENTS.
(APPEAL NO. 2.)

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

THE TARANTINO LAW FIRM, LLP, BUFFALO (MARYLOU K. ROSHIA OF COUNSEL),
FOR DEFENDANTS-RESPONDENTS 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.

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

Appeal from a judgment of the Supreme Court, Allegany County
(Thomas P. Brown, A.J.), entered May 11, 2023. The judgment, insofar
as appealed from, dismissed the amended complaint, upon a jury
verdict, against 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.

It is hereby ORDERED that said appeal insofar as taken by
plaintiff Lew Wright, as executor of the estate of Sandra Ramsey,
deceased, is dismissed, and the judgment insofar as appealed from is
reversed on the law without costs, the amended complaint as asserted
by plaintiff James A. Ramsey, as executor of the estate of Ernest H.
Ramsey, deceased, is reinstated against 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, and a new trial is granted.

Same memorandum as in *Wright v Stephens* ([appeal No. 1] – AD3d – [June 6, 2025] [4th Dept 2025]).

Entered: June 6, 2025

Ann Dillon Flynn
Clerk of the Court