

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

1430

CA 15-01030

PRESENT: SCUDDER, P.J., SMITH, CENTRA, PERADOTTO, AND CARNI, JJ.

JEFFREY S. TOBEY, PLAINTIFF-RESPONDENT,

V

ORDER

WINDSONG RADIOLOGY GROUP, P.C., AND TERESA J.
SMALL, M.D., DEFENDANTS-APPELLANTS.

ROACH, BROWN, MCCARTHY & GRUBER, P.C., BUFFALO (J. MARK GRUBER OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

PAUL WILLIAM BELTZ, P.C., BUFFALO (CRAIG R. WATSON OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order the Supreme Court, Erie County (John M. Curran, J.), entered March 2, 2015. The order, insofar as appealed from, denied in part the motion of defendants for summary judgment.

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

Entered: March 25, 2016

Frances E. Cafarell
Clerk of the Court