

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

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**CA 18-01702**

PRESENT: CENTRA, J.P., PERADOTTO, CARNI, LINDLEY, AND TROUTMAN, JJ.

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MAREANNE J. MIKOLAJCZYK, INDIVIDUALLY, AND  
AS ADMINISTRATRIX OF THE ESTATE OF MELVIN  
MIKOLAJCZYK, DECEASED, PLAINTIFF-RESPONDENT,

V

ORDER

DANIEL J. PATTERSON, D.O., JEFFREY P.  
STEINIG, M.D., SOUTH TOWNS SURGICAL  
ASSOCIATES, P.C, DEFENDANTS-RESPONDENTS,  
AND CATHOLIC HEALTH SYSTEM, DOING BUSINESS  
AS MERCY HOSPITAL OF BUFFALO,  
DEFENDANT-APPELLANT.

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HARRIS BEACH PLLC, BUFFALO (JASON T. BRITT OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

GIBSON, MCASKILL & CROSBY, LLP, BUFFALO (MELISSA L. ZITTEL OF  
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Erie County  
(Christopher J. Burns, J.), entered December 18, 2017. The order,  
among other things, denied the motion of defendant Catholic Health  
System, doing business as Mercy Hospital of Buffalo, for leave to  
amend its answer.

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

Entered: February 1, 2019

Mark W. Bennett  
Clerk of the Court