

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

**164**

**CA 21-00773**

PRESENT: SMITH, J.P., CENTRA, LINDLEY, CURRAN, AND BANNISTER, JJ.

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LISA ANN GRAHAM, AS ADMINISTRATRIX OF  
THE ESTATE OF FRANCES R. MCCOLLOUGH, DECEASED,  
CLAIMANT-APPELLANT,

V

ORDER

ROSWELL PARK CANCER INSTITUTE CORPORATION,  
DEFENDANT-RESPONDENT.

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KRAMER, DILLOF, LIVINGSTON & MOORE, NEW YORK CITY (MATTHEW GAIER OF  
COUNSEL), FOR CLAIMANT-APPELLANT.

GIBSON, MCASKILL & CROSBY, LLP, BUFFALO (CRAIG R. WATSON OF COUNSEL),  
FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Court of Claims (J. David Sampson,  
J.), entered April 7, 2021. The order, inter alia, granted the motion  
of defendant to dismiss the notice of claim and claim with respect to  
personal injury claims.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs for reasons stated in the decision  
at the Court of Claims.

Entered: March 11, 2022

Ann Dillon Flynn  
Clerk of the Court