

Poplarski v Winthrop Univ. Hosp.

2010 NY Slip Op 33836(U)

August 20, 2010

Sup Ct, Nassau County

Docket Number: 13711/09

Judge: Daniel R. Palmieri

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This opinion is uncorrected and not selected for official publication.

SHORT FORM ORDER

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU**

Present:

**HON. DANIEL PALMIERI
Acting Justice Supreme Court**

-----x
**GREG POPLARSKI, As Administrator of the Estate
of ANNA POPLARSKI, Deceased and EDWARD
POPLARSKI, Individually,**

Plaintiff,

-against-

**WINTHROP UNIVERSITY HOSPITAL, JOHN
ANTHONY GONCALVES, JR., M.D., STEVEN
WAYNE SEIDEN, M.D., SOUTH SHORE HEART
ASSOCIATES, P.C. and NEW ISLAND HOSPITAL,
Defendants.**

-----x
**GREG POPLARSKI, As Administrator of the Estate
of ANNA POPLARSKI, Deceased and EDWARD
POPLARSKI, Individually,**

Plaintiff,

-against-

**WINTHROP CARDIOVASCULAR AND THORACIC
SURGERY, P.C.
Defendants.**

TRIAL PART: 45

ACTION NO. 1

INDEX NO.: 13711/09

MOTION DATE: 7-15-10

SUBMIT DATE: 8-18-10

SEQ. NUMBER - 001

ACTION NO. 2

INDEX NO.: 5903/10

The following papers have been read on this motion:

Notice of Motion, dated 7-15-10..... 1

Plaintiff has moved for an order consolidating Action No. 1 and Action No. 2. The motion is granted, the actions are consolidated into Index No. 13711/09 and in accordance

with established court procedures, the action is transferred to Hon. F. Dana Winslow of this Court as the case which is older in time under Index No. 13711/09 has previously been assigned to him.

These actions stem from claims of medical practice in connection with the care and treatment of plaintiff's decedent which culminated in her death on December 8, 2007.

Upon the trial, common questions of law and facts will arise, and the time of the witnesses, jurors, parties and the Court will be used more efficiently if they are consolidated. Therefore it is,

NOW ORDERED, that this motion by the attorneys for plaintiff for consolidation of both cases is granted.

ORDERED, that all parties shall serve upon any party so demanding copies of disclosure documents heretofore obtained in the other action and it is further,

ORDERED, that the consolidated action shall bear the caption and index number as follows:

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU**

-----X

**GREG POPLARSKI, As Administrator of the Estate
of ANNA POPLARSKI, Deceased and EDWARD
POPLARSKI, Individually,**

Plaintiffs,

-against-

INDEX NO. 13711/09

**WINTHROP CARDIOVASCULAR AND THORACIC
SURGERY, P.C., WINTHROP UNIVERSITY HOSPITAL,
JOHN ANTHONY GONCALVES, JR., M.D., STEVEN
WAYNE SEIDEN, M.D., SOUTH SHORE HEART
ASSOCIATES, P.C. and NEW ISLAND HOSPITAL,**

Defendants.

-----X

ORDERED, that all matters of trial practice, including the right to open and close, are reserved to the Justice presiding at the trial, and it is further,

ORDERED, that all papers shall reflect the consolidated status of these actions, and it is further,

ORDERED, that the Movant shall serve within 30 days , a copy of the Order upon all parties to both actions and upon the Clerk of the Supreme Court of Nassau County, and upon receipt of this Order, the Nassau County Clerk is directed to consolidate the files, and it is further,

The compliance conference for Action No. 2 presently scheduled to be held in this part on September 29, 2010 is cancelled.

This shall constitute the Decision and Order of this Court.

ENTER

DATED: August 20, 2010



HON. DANIEL PALMIERI
Acting Supreme Court Justice

TO: JOHN P. BEATTY, ESQ.
KRAMER, DILLOF, LIVINGSTON & MOORE
Attorneys for Plaintiff
217 Broadway, 10th Floor
New York, NY 10007

ENTERED
AUG 25 2010
NASSAU COUNTY
COUNTY CLERK'S OFFICE

LAW OFFICE OF FURY, KERLEY, WALSH, MATERA, & CINQUEMANI
Attorneys for Defendants
WSNCHS NORTH d/b/a NEW ISLAND HOSPITAL s/h/a
NEW ISLAND HOSPITAL
2174 Jackson Avenue
Seaford, NY 11783

FUMUSO, KELLY, DeVERNA, SNYDER, SWART & FARRELL, LLP
Attorneys for Defendants
WILLIAM PURTILL, M.D., P.C., STEVEN WAYNE SEIDEN, M.D. and
SOUTH SHORE HEART ASSOCIATES, P.C.
110 Marcus Blvd., Suite 500
Hauppauge, NY 11788

HEIDELL, PITTONI, MURPHY & BACH, LLP
Attorneys for Defendants
WINTHROP UNIVERSITY HOSPITAL
1050 Franklin Avenue
Garden City, NY 11530

KELLY, RODE & KELLY, LLP
Attorney for Defendants
JOHN ANTHONY GONCALVES, JR., M.D.
330 Old Country Road, Suite 305
Mineola, NY 11501