

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M76435
E/sl

ROBERT A. LIFSON, J.P.
DAVID S. RITTER
HOWARD MILLER
RUTH C. BALKIN, JJ.

2008-06877

DECISION & ORDER ON MOTION

Health & Endurance Medical, P.C., plaintiff,
v Liberty Mutual Ins. Co., respondent.

(Index No. 46417/04)

Motion by the plaintiff for leave to appeal to this court from an order of the Appellate Term, Second and Eleventh Judicial Districts, dated April 14, 2008, which affirmed a judgment of the Civil Court of the City of New York, Kings County, entered May 1, 2006.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied.

LIFSON, J.P., RITTER, MILLER and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

October 1, 2008

HEALTH & ENDURANCE MEDICAL, P.C. v LIBERTY MUTUAL INS. CO.