

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

M90613
E/sl

PETER B. SKELOS, J.P.
STEVEN W. FISHER
FRED T. SANTUCCI
RUTH C. BALKIN, JJ.

2008-10216

DECISION & ORDER ON MOTION

Westchester Medical Center, as assignee of
Bartolo Reyes, appellant, v Lincoln General
Insurance Company, respondent.

(Index No. 8423/08)

Motion by the respondent for leave to reargue an appeal from an order of the Supreme Court, Nassau County, dated October 14, 2008, which was determined by decision and order of this court dated March 31, 2009, or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this court.

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

ORDERED that the motion is denied, with \$100 costs.

SKELOS, J.P., FISHER, SANTUCCI and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

August 11, 2009

WESTCHESTER MEDICAL CENTER, as assignee of REYES
v LINCOLN GENERAL INSURANCE COMPANY