

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

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CA 08-01702

PRESENT: MARTOCHE, J.P., SMITH, CENTRA, FAHEY, AND PINE, JJ.

JOLLY CAPLASH, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

ROCHESTER ORAL & MAXILLOFACIAL SURGERY
ASSOCIATES, LLC, AND MOHAMMED SALAHUDDIN,
DEFENDANTS-APPELLANTS.
(APPEAL NO. 2.)

PETER L. KRISTAL, ROCHESTER, FOR DEFENDANT-APPELLANT ROCHESTER ORAL &
MAXILLOFACIAL SURGERY ASSOCIATES, LLC.

RICHARD E. REGAN, ROCHESTER, FOR DEFENDANT-APPELLANT MOHAMMED
SALAHUDDIN.

FINUCANE & HARTZELL, LLP, PITTSFORD (LEO G. FINUCANE OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeals from an order of the Supreme Court, Monroe County
(Kenneth R. Fisher, J.), entered June 28, 2008. The order, among
other things, granted plaintiff's cross motion for summary judgment.

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

Same Memorandum as in *Caplash v Rochester Oral & Maxillofacial
Surgery Assoc., LLC* ([appeal No. 1] ___ AD3d ___ [June 12, 2009]).

Entered: June 12, 2009

Patricia L. Morgan
Clerk of the Court