

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

**1037**

**CA 08-02531**

PRESENT: MARTOCHE, J.P., SMITH, PERADOTTO, AND GREEN, JJ.

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HUIBERT M. VRIESENDORP, M.D., CLAIMANT-APPELLANT,

V

ORDER

STATE OF NEW YORK, DEFENDANT-RESPONDENT.  
(Claim No. 109507.)

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ABRAMS, FENSTERMAN, FENSTERMAN, EISMAN, GREENBERG, FORMATO & EINIGER,  
LLP, LAKE SUCCESS (SARAH C. LICHTENSTEIN OF COUNSEL), FOR  
CLAIMANT-APPELLANT.

ANDREW M. CUOMO, ATTORNEY GENERAL, ALBANY (RAJIT S. DOSANJH OF  
COUNSEL), FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Court of Claims (Diane L. Fitzpatrick, J.), entered October 28, 2008. The order granted the motion of defendant for summary judgment dismissing the claim and denied the motion of claimant for summary judgment.

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: October 2, 2009

Patricia L. Morgan  
Clerk of the Court