

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

1550

CA 09-01521

PRESENT: HURLBUTT, J.P., SMITH, CENTRA, GREEN, AND PINE, JJ.

DAVID S. BRODERICK, AS ADMINISTRATOR OF THE
ESTATE OF CATHERINE L. JOHNSON, DECEASED,
PLAINTIFF-RESPONDENT,

V

ORDER

JAGDISH M. TRIVEDI, M.D., JOHN C.
CHRISTODOULIDES, M.D. AND MT. ST. MARY'S
HOSPITAL AND HEALTH CENTER,
DEFENDANTS-APPELLANTS.

ROACH, BROWN, MCCARTHY & GRUBER, P.C., BUFFALO (J. MARK GRUBER OF
COUNSEL), FOR DEFENDANTS-APPELLANTS JAGDISH M. TRIVEDI, M.D. AND JOHN
C. CHRISTODOULIDES, M.D.

RICOTTA & VISCO, ATTORNEYS & COUNSELORS AT LAW, BUFFALO (BRETT GLIOSCA
OF COUNSEL), FOR DEFENDANT-APPELLANT MT. ST. MARY'S HOSPITAL AND
HEALTH CENTER.

BROWN CHIARI LLP, LANCASTER (MICHAEL R. DRUMM OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeals from an order of the Supreme Court, Niagara County (Frank
Caruso, J.), entered November 7, 2008 in a medical malpractice action.
The order granted the motion of plaintiff for leave to amend the
complaint to add a wrongful death cause of action.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed without costs for reasons stated in the decision
at Supreme Court.

Entered: December 30, 2009

Patricia L. Morgan
Clerk of the Court