

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

1507

CA 10-01188

PRESENT: CENTRA, J.P., LINDLEY, SCONIERS, GREEN, AND GORSKI, JJ.

CAROL H. GRIECO, AS EXECUTRIX OF THE ESTATE OF
JOHN P. GRIECO, DECEASED, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

KALEIDA HEALTH, ET AL., DEFENDANTS,
JANERIO D. ALDRIDGE, M.D., BUFFALO
THORACIC SURGICAL ASSOCIATES, P.C., IAN M.
BROWN, R.P.A.C., TAMMY B. ERVOLINA, R.P.A.C.,
AND ROBERT J. GAMBINO, R.P.A.C.,
DEFENDANTS-APPELLANTS.
(APPEAL NO. 1.)

GIBSON, MCASKILL & CROSBY, LLP, BUFFALO (JENNIFER L. NOAH OF COUNSEL),
FOR DEFENDANTS-APPELLANTS.

SMITH, MINER, O'SHEA & SMITH, LLP, BUFFALO (CARRIE L. SMITH OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered September 30, 2009 in a medical malpractice action. The order denied the motion for a protective order.

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

Same Memorandum as in *Grieco v Kaleida Health* ([appeal No. 2],
___ AD3d ___ [Dec. 30, 2010]).

Entered: December 30, 2010

Patricia L. Morgan
Clerk of the Court