
This memorandum is uncorrected and subject to revision before
publication in the New York Reports.

No. 138 SSM 22
Barbara Burns, &c.,
Appellant,
v.
Sudhir Goyal, et al.,
Defendants,
Rakesh B. Patel, et al.,
Respondents.

Submitted by Frank N. Ambrosino, for appellant.
Submitted by Christopher Simone, for respondents Patel
et al.
Submitted by Vincent Petrozzo, for respondents Torelli
et al.

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On review of submissions pursuant to section 500.11 of the Rules,
order modified, with costs to plaintiff against defendants Rakesh
B. Patel and Suffolk Heart Group, LLP and to defendants Michael
Torelli and South Shore Family Practice Associates, P.C. against
plaintiff, by denying the motion of defendants Rakesh B. Patel
and Suffolk Heart Group, LLP for summary judgment and, as so
modified, affirmed. On this record, triable questions of fact
preclude summary judgment in favor of these defendants. Chief
Judge DiFiore and Judges Rivera, Stein, Fahey, Garcia, Wilson and
Feinman concur.

Decided October 12, 2017