

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

513

CA 09-02331

PRESENT: SCUDDER, P.J., MARTOCHE, LINDLEY, GREEN, AND GORSKI, JJ.

IN THE MATTER OF JOSEPH A. SHUGATS,
CLAIMANT-RESPONDENT,

V

ORDER

ERIE COUNTY MEDICAL CENTER CORPORATION,
RESPONDENT-APPELLANT.

ROACH, BROWN, MCCARTHY & GRUBER, P.C., BUFFALO (MARK R. AFFRONTI OF
COUNSEL), FOR RESPONDENT-APPELLANT.

DEMPSEY & DEMPSEY, BUFFALO (HELEN KANEY DEMPSEY OF COUNSEL), FOR
CLAIMANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Patrick
H. NeMoyer, J.), entered June 1, 2009. The order granted the
application of claimant for leave to serve a late notice of claim.

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

Entered: April 30, 2010

Patricia L. Morgan
Clerk of the Court