

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

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CA 15-00494

PRESENT: WHALEN, P.J., CENTRA, PERADOTTO, AND TROUTMAN, JJ.

JACEK WOLOSZUK, INDIVIDUALLY AND AS EXECUTOR
OF THE ESTATE OF ELLEN WOLOSZUK, DECEASED,
PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

WENDE LOGAN-YOUNG, M.D., DOING BUSINESS AS
ELIZABETH WENDE BREAST CLINIC, WENDE
LOGAN-YOUNG, M.D., AND PHILIP MURPHY, M.D.,
DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.
(APPEAL NO. 2.)

UNDERBERG & KESSLER LLP, ROCHESTER (MARGARET E. SOMERSET OF COUNSEL),
FOR DEFENDANTS-APPELLANTS.

PAUL WILLIAM BELTZ, P.C., BUFFALO (ANNE B. RIMMLER OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Monroe County (William P. Polito, J.), entered July 7, 2014. The order, among other things, denied the motion of defendants Wende Logan-Young, M.D., doing business as Elizabeth Wende Breast Clinic, Wende Logan-Young, M.D., and Philip Murphy, M.D., to strike as abandoned the motion of plaintiff for sanctions or for leave to renew their opposition to sanctions.

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

Same memorandum as in *Woloszuk v Wende Logan-Young, M.D., doing business as Elizabeth Wende Breast Clinic* ([appeal No. 1] – AD3d – [June 8, 2018] [4th Dept 2018]).

Entered: June 8, 2018

Mark W. Bennett
Clerk of the Court