

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

484

CA 22-01513

PRESENT: PERADOTTO, J.P., BANNISTER, MONTOUR, AND GREENWOOD, JJ.

EMMETT HARRIS, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

ROME MEMORIAL HOSPITAL, ET AL., DEFENDANTS,
AND MICHELE LISI, M.D., INDIVIDUALLY AND AS
AN AGENT, OFFICER AND/OR EMPLOYEE OF UPSTATE
UNIVERSITY HOSPITAL AND/OR UPSTATE EMERGENCY
MEDICINE, INC., DEFENDANT-APPELLANT.
(APPEAL NO. 6.)

RICOTTA, MATTREY, CALLOCCHIA, MARKEL & CASSERT, BUFFALO (COLLEEN K.
MATTREY OF COUNSEL), FOR DEFENDANT-APPELLANT.

CHERUNDOLO LAW FIRM, PLLC, SYRACUSE (JOHN C. CHERUNDOLO OF COUNSEL),
FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Oneida County (Scott J. DelConte, J.), entered September 20, 2022. The order denied the motion of defendant Michele Lisi, M.D. to compel plaintiff to accept service of her supplemental bill of particulars.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same memorandum as in *Harris v Rome Mem. Hosp.* ([appeal No. 1] – AD3d – [Aug. 11, 2023] [4th Dept 2023]).

Entered: August 11, 2023

Ann Dillon Flynn
Clerk of the Court