

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

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**CA 22-01798**

PRESENT: WHALEN, P.J., MONTOUR, OGDEN, AND DELCONTE, JJ.

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SANDRA MYERS AND DAVID MYERS,  
PLAINTIFFS-RESPONDENTS,

V

ORDER

BRIAN KARASZEWSKI, M.D., INVISION HEALTH, LLC,  
DEFENDANTS-APPELLANTS,  
ET AL., DEFENDANTS.  
(APPEAL NO. 2.)

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HURWITZ FINE P.C., BUFFALO (STEPHEN M. SORRELS OF COUNSEL), FOR  
DEFENDANTS-APPELLANTS.

FARACI LANGE, LLP, BUFFALO (JENNIFER L. FAY OF COUNSEL), FOR  
PLAINTIFFS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered March 30, 2022. The order, among other things, precluded defendants Brian Karaszewski, M.D. and Invision Health, LLC from asserting their cross-claims and CPLR article 16 defense against certain defendants.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: September 29, 2023

Ann Dillon Flynn  
Clerk of the Court