

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

488

CA 17-01175

PRESENT: WHALEN, P.J., LINDLEY, DEJOSEPH, CURRAN, AND TROUTMAN, JJ.

ESTHER CASSATT, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

ZIMMER, INC. AND ZIMMER UPSTATE NEW YORK, INC.,
DEFENDANTS-RESPONDENTS.
(APPEAL NO. 2.)

LAW OFFICE OF MARK H. CANTOR, LLC, BUFFALO (DAVID WOLFF OF COUNSEL),
FOR PLAINTIFF-APPELLANT.

FAEGRE BAKER DANIELS LLP, FORT WAYNE, INDIANA (PETER A. MEYER, OF THE
INDIANA BAR, ADMITTED PRO HAC VICE, OF COUNSEL), AND GOLDBERG SEGALLA
LLP, BUFFALO, FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Niagara County (Mark Montour, J.), entered February 23, 2017. The order denied the motion of plaintiff for leave to reargue and renew her opposition to defendants' prior motion.

It is hereby ORDERED that said appeal from the order insofar as it denied leave to reargue is unanimously dismissed and the order is affirmed without costs.

Same memorandum as in *Cassatt v Zimmer, Inc.* ([appeal No. 1] - AD3d - [May 4, 2018] [4th Dept 2018]).

Entered: May 4, 2018

Mark W. Bennett
Clerk of the Court