

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

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**CA 18-02079**

PRESENT: PERADOTTO, J.P., LINDLEY, DEJOSEPH, TROUTMAN, AND WINSLOW,

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CARMEN BRITT, AND CARMEN BRITT AS EXECUTOR OF  
THE ESTATE OF LULA BAITY, PLAINTIFF-APPELLANT,

V

ORDER

BUFFALO MUNICIPAL HOUSING AUTHORITY, GRACE  
MANOR HEALTH CARE FACILITY, INC., PHILLIP J.  
RADOS, M.D., NELDA LAWLER, M.D., TERESA  
CHAU, M.D., DEFENDANTS-RESPONDENTS,  
ET AL., DEFENDANTS.

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TIMOTHY R. LOVALLO, BUFFALO, FOR PLAINTIFF-APPELLANT.

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Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered May 8, 2018. The order denied plaintiff's motion to restore the actions to the trial calendar.

It is hereby ORDERED that the order so appealed from is unanimously affirmed with costs.

Entered: March 15, 2019

Mark W. Bennett  
Clerk of the Court