

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

787

CA 19-00070

PRESENT: SMITH, J.P., NEMOYER, CURRAN, TROUTMAN, AND DEJOSEPH, JJ.

KELLY ZUZZE, PLAINTIFF-RESPONDENT,

V

ORDER

BRYAN N. BUTLER, M.D., AND BUFFALO MEDICAL
GROUP, P.C., DEFENDANTS-APPELLANTS.
(APPEAL NO. 1.)

CONNORS LLP, BUFFALO (JOHN T. LOSS OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

LAW OFFICE OF J. MICHAEL HAYES, BUFFALO (J. MICHAEL HAYES OF COUNSEL),
FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered December 10, 2018. The order, insofar as appealed from, denied in part the cross motion of defendants for summary judgment.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see *Hughes v Nussbaumer, Clarke & Velzy*, 140 AD2d 988, 988 [4th Dept 1988]; *Chase Manhattan Bank, N.A. v Roberts & Roberts*, 63 AD2d 566, 567 [1st Dept 1978]; see also CPLR 5501 [a] [1]).

Entered: February 5, 2021

Mark W. Bennett
Clerk of the Court