

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

1107

CA 20-01239

PRESENT: WHALEN, P.J., CENTRA, NEMOYER, AND WINSLOW, JJ.

MOHAWK VALLEY HEALTH SYSTEM, PLAINTIFF-APPELLANT,

V

ORDER

MARK SMITH, CHERYL MATTERN, SAMUEL WESTMORELAND,
MOHAMMED KAASHMIRI, FREDERIC JOYCE, JONATHAN
ELI-PHILLIPS, REGINA FARRELL, TINA ANN MAXIAN,
KENNETH KIM, JORGE FERREIRO, LEROY COOLEY, ANKUR
CHAWLA, MARIO CARRILLO, MARGARET ALBANESE, NATALIE
JONES, EMIR HODZIC, ROBERT WASICZKO, MARK WILLIAMS,
JOHN SPERLING, KENNETH ORTEGA, COMPUTERSHARE
TRUST COMPANY, N.A., DEFENDANTS-RESPONDENTS.

HARRIS BEACH PLLC, PITTSFORD (KYLE D. GOOCH OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

COHEN COMPAGNI BECKMAN APPLER & KNOLL, PLLC, SYRACUSE (LAURA L. SPRING
OF COUNSEL), FOR DEFENDANTS-RESPONDENTS MARK SMITH, SAMUEL
WESTMORELAND, FREDERIC JOYCE, JONATHAN ELI-PHILLIPS, REGINA FARRELL,
TINA ANN MAXIAN, KENNETH KIM, JORGE FERREIRO, LEROY COOLEY, ANKUR
CHAWLA, MARIO CARRILLO, MARGARET ALBANESE, ROBERT WASICZKO, MARK
WILLIAMS, JOHN SPERLING, AND KENNETH ORTEGA.

Appeal from a judgment (denominated order) of the Supreme Court,
Oneida County (Bernadette T. Clark, J.), entered September 3, 2020.
The judgment, among other things, denied plaintiff's motion for
summary judgment.

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

Entered: December 23, 2021

Ann Dillon Flynn
Clerk of the Court