

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

1240.1

CA 20-01059

PRESENT: CENTRA, J.P., LINDLEY, NEMOYER, TROUTMAN, AND BANNISTER, JJ.

NICHOLAS SIMS, PLAINTIFF-RESPONDENT,

V

ORDER

SAMUEL A. REYES, M.D., ET AL., DEFENDANTS,
AND SETON IMAGING, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

ROACH, BROWN, MCCARTHY & GRUBER, P.C., BUFFALO (MEGHANN N. ROEHL OF
COUNSEL), FOR DEFENDANT-APPELLANT.

LIPSITZ GREEN SCIME CAMBRIA LLP, BUFFALO (JOHN A. COLLINS OF COUNSEL),
FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered May 5, 2020. The order, inter alia, held in abeyance enforcement of certain provisions of a February 7, 2020 order for a period of six months.

It is hereby ORDERED that said appeal is unanimously dismissed with costs (*see generally Matter of Hearst Corp. v Clyne*, 50 NY2d 707, 714 [1980]).

Entered: May 7, 2021

Mark W. Bennett
Clerk of the Court