

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

At a Special Term of  
the New York State Supreme  
Court, County of Erie, held on  
the 28<sup>th</sup> day of January, 2009

CAROLYN PRATT

Petitioner

KALEIDA HEALTH

Respondent

ORDER

INDEX NO. 2007-11407

**FILED**  
ACTIONS & PROCEEDINGS

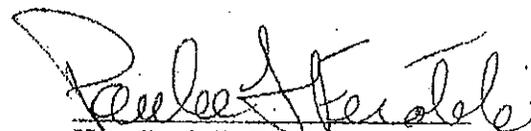
FEB 19 2009

ERIE COUNTY  
CLERKS OFFICE

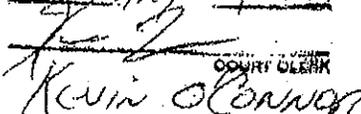
ORDER

Respondent having moved this Court pursuant to CPLR §3211(a) (2), (5) and (8) for an order dismissing Petitioner's Causes of Action; and Respondent having submitted a notice of motion dated December 3, 2008, and the affidavit of Sarah E. Tollner, Esq., sworn to on the 3<sup>rd</sup> day of December, 2008, with exhibits attached thereto, and memorandum of law in support of said motion; and Petitioner having appeared pro se; and said matter having come before this Court on January 28, 2009, at 9:00 a.m.; and upon hearing Sarah E. Tollner, Esq. of Saeli & Tollner, P.C., counsel for Respondent, and Carolyn Pratt, pro se Petitioner, it is hereby

ORDERED that Respondent's motion to dismiss the Special Proceeding is in all respects GRANTED without costs as to any party.

  
Hon. Paula L. Feroleto

GRANTED:

**GRANTED**  
FEBRUARY 13, 2009  
  
COUNTY CLERK  
Kevin O'Connor