

SHORT FORM ORDER

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

P R E S E N T : HON. JEFFREY S. BROWN  
JUSTICE

-----X TRIAL/IAS PART 21  
JOHN C. MEYERHOEFER and VICTORIA  
MEYERHOEFER, INDEX # 22450/09

Plaintiffs,

Motion Seq. 1  
Motion Date 6.23.11  
Submit Date 6.23.11

-against-

MID ISLAND EYE PHYSICIANS & SURGEONS,  
P.C., LAURENCE RUBIN, M.D. AND GARDEN CITY  
SURGI CENTER,

Defendants.

-----X

The following papers were read on this motion:	Papers Numbered
Notice of Motion, Affidavits (Affirmations), Exhibits Annexed.....	1

Defendant GARDEN CITY SURGI CENTER, moves by notice of motion for the following relief: 1) an order, pursuant to CPLR 3212, granting summary judgment; 2) dismissing and severing the claims against the defendant ENDO GROUP, LLC d/b/a GARDEN CITY SURGI CENTER s/h/a GARDEN CITY SURGI CENTER permitting judgment to be entered thereon severing said defendant from the caption.

A review of the documentation presented reveals that all necessary parties have been served with notice of this application, and further, that the relief requested is appropriate. There is no opposition to the instant application.

Accordingly, it is

**ORDERED**, that defendant's ENDO GROUP, LLC d/b/a GARDEN CITY SURGI CENTER s/h/a GARDEN CITY SURGI CENTER'S motion for summary judgment dismissing

the complaint as against it is **GRANTED**; and it is further

**ORDERED**, that all claims against defendant ENDO GROUP, LLC d/b/a GARDEN CITY SURGI CENTER s/h/a GARDEN CITY SURGI CENTER are hereby dismissed with prejudice and severed from the action; and it is further

**ORDERED**, that the caption of this matter shall be as follows and the Clerk of the Court is directed to change the caption to reflect this change:

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU**

-----X  
**JOHN C. MEYERHOEFER and VICTORIA  
MEYERHOEFER,**

**Plaintiffs,**

**-against-**

**MID ISLAND EYE PHYSICIANS & SURGEONS,  
P.C., LAURENCE RUBIN, M.D.**

**Defendants.**  
-----X

The foregoing constitutes the decision and order of this Court. All applications not specifically addressed herein are denied.

Dated: Mineola, New York  
June 29, 2011

ENTER:

  
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HON. JEFFREY S. BROWN, JSC

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**ENTERED**  
JUL 01 2011  
NASSAU COUNTY  
COUNTY CLERK'S OFFICE