

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

STEVEN MISKA
15 North Shore Drive
Blasdell, New York 14219

Plaintiff,

SUMMONS

vs.

INDEX #

LAWRENCE BARTOS, D.D.S.
9 North Main Street
Holland, New York 14224

WESTERN NEW YORK DENTAL, P.C.
C T CORPORATION SYSTEM
28 Liberty Street
New York, New York 10005

LEIA INCE-MERCER, M.D.
5470 Camp Road
Suite 200
Hamburg, New York 14075

GENERAL PHYSICIAN, P.C.
Attn: Kaleida Health
726 Exchange Street
Suite 204
Buffalo, New York 14210

ALBERT DIAZ-ORDAZ, M.D.
310 Sterling Drive
Suite 105
Orchard Park, New York 14127

SOUTHTOWNS GASTROENTEROLOGY, PLLC
310 Sterling Drive
Suite 105
Orchard Park, New York 14127

STERLING SURGICAL CENTER, LLC

**Barclay Damon, LLP
200 Delaware Avenue
Buffalo, New York 14202**

MICHAEL DONALD BANAS, M.D.

**5959 Big Tree Road
Suite 102
Brookridge Medical Campus
Orchard Park, New York 14127**

ASHOK KAUSHAL, M.D.

**3669 Southwestern Boulevard
Orchard Park, New York 14127**

BUFFALO EMERGENCY ASSOCIATES, L.L.P.

CORPORATE SERVICE COMPANY

**80 State Street
Albany, New York**

CATHOLIC HEALTH SYSTEM, INC.

**Catholic Health System, Inc. President
Corporate Office #30
Seton Professional Building
2121 Main Street
Buffalo, New York 14214**

MERCY HOSPITAL ORCHARD PARK DIVISION

**c/o President, Catholic Health System, Inc.
Corporate Offices
Seton Pro. Building, Suite 300
2121 Main Street
Buffalo, New York 14214**

Defendants.

TO THE ABOVE NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED to answer the Complaint in this action, and to serve a copy of your Answer, or, if a Complaint is not served with this Summons, to serve a Notice of

Appearance, on the Plaintiff's attorney(s) within twenty (20) days after the service of this Summons, exclusive of the day of service, or within thirty (30) days after completion of service where service is made in any other manner than by personal delivery within the State. In case of your failure to appear or answer, Judgment may be taken against you by default for the relief demanded in the Complaint.

Erie County is designated as the place of trial on basis of the place of residence of the Plaintiff.

DATED: Buffalo, New York
August 4, 2020

Yours, etc.,



BY
RICHARD P. VALENTINE
RICHARD P. VALENTINE, ESQ., P.C.
Attorneys for Plaintiff
Office and P.O. Address
416 Pearl Street
Buffalo, New York 14202
Telephone: (716) 848-1800

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

STEVEN MISKA

Plaintiff,

COMPLAINT

vs.

INDEX #

LAWRENCE BARTOS, D.D.S.;
WESTERN NEW YORK DENTAL, P.C.;
LEIA INCE-MERCER, M.D.;
GENERAL PHYSICIAN, P.C.;
ALBERT DIAZ-ORDAZ, M.D.;
SOUTHTOWNS GASTROENTEROLOGY, PLLC;
STERLING SURGICAL CENTER, L.L.C.;
MICHAEL DONALD BANAS, M.D.;
ASHOK KAUSHAL, M.D.;
BUFFALO EMERGENCY ASSOCIATES, L.L.P.;
CATHOLIC HEALTH SYSTEM, INC.; and,
MERCY HOSPITAL ORCHARD PARK DIVISION.

Defendants.

The Plaintiff, STEVEN MISKA, *Appearing Pro Se*, as and for his Complaint against the Defendants, alleges, upon information and belief, as follows:

1. The Plaintiff is, and at all times hereinafter mentioned, was a resident of the County of Erie and State of New York.
2. Upon information and belief and at all times hereinafter mentioned, the Defendant, LAWRENCE BARTOS, D.D.S., was, and still is, a dentist, duly licensed to practice his profession in the State of New York, who maintained offices for the practice of dentistry located in the County of Erie and the State of New York.

3. Upon information and belief, at all times hereinafter mentioned, the Defendant, WESTERN NEW YORK DENTAL, P.C., was a domestic professional corporation, duly organized and existing under the laws of the State of New York, engaged in the practice of dentistry, with its principal place of business located in the County of Erie and the State of New York.

4. Upon information and belief and at all times hereinafter mentioned, the Defendant, LEIA INCE-MERCER, M.D., was, and still is, a physician, duly licensed to practice her profession in the State of New York, who maintained offices for the practice of medicine located in the County of Erie and the State of New York.

5. Upon information and belief, at all times hereinafter mentioned, the Defendant, GENERAL PHYSICIAN, P.C., was a domestic professional corporation, duly organized and existing under the laws of the State of New York, engaging in the practice of medicine, with its principal place of business located in the County of Erie and the State of New York.

6. Upon information and belief and at all times hereinafter mentioned, the Defendant, ALBERT DIAZ-ORDAZ, M.D., was, and still is, a physician, duly licensed to practice his profession in the State of New York, who maintained offices for the practice of medicine located in the County of Erie and the State of New York.

7. Upon information and belief, at all times hereinafter mentioned, the Defendant, SOUTHTOWNS GASTROENTEROLOGY, PLLC, was a domestic professional service limited liability company, duly organized and existing under the laws of the State of New York, engaging in the practice of medicine, with its principal place of business located in the County of Erie and the State of New York.

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