

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

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WILMA STENSLAND, as Administrator of the  
Estate of BRUCE STENSLAND, deceased and  
WILMA STENSLAND, individually,

Index No.:  
602834/2023

**VERIFIED ANSWER**

Plaintiffs,

-against-

ANTHONY CAPPELLINO, M.D., ANTHONY GUIDA,  
M.D., ALEXANDER WEINGARTEN, M.D.,  
COMPREHENSIVE PAIN MANAGEMENT ASSOCIATES,  
CATHOLIC HEALTH SYSTEM OF LONG ISLAND,  
INC. and GOOD SAMARITAN HOSPITAL MEDICAL  
CENTER,

Defendants.  
-----x

Defendant, ANTHONY GUIDA, M.D., by his attorneys, GABRIELE  
MARANO, LLP, answers the plaintiff's Complaint, upon information  
and belief as follows:

**AS AND FOR AN ANSWER  
TO THE FIRST CAUSE OF ACTION**

1. Denies any knowledge or information thereof sufficient  
to form a belief as to the allegations set forth in paragraphs  
designated "1", "2", "4", "6", "7", "8", "9", "10", "11", "12",  
"13", "14", "15", "16", "17", "18", "19", "20", "32", "33", "34",  
"35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45",  
"46", "47", "48", "49", "50", "51", "52", "54", "55", "56", "57",  
"58", "60", "61", "62" and "63" of the Complaint.

2. Denies each and every allegation set forth in paragraphs designated "3", "24", "28", "29", "30", "31", "64", "65" and "66" of the Complaint.

3. Denies each and every allegation set forth in paragraphs designated "5", "26", "27", and "59" of the Complaint, and begs leave to refer all issues of law to this Honorable Court and all questions of fact to a trial therein.

4. Denies in the form alleged each and every allegation set forth in paragraphs designated "21", "22" and "23" of the Complaint, except admits that for all relevant times defendants, ANTHONY GUIDA, M.D., was a physician duly licensed to practice medicine in the State of New York and Board Certified in Family Medicine.

5. Denies in the form alleged each and every allegation set forth in paragraph designated "25" of the Complaint, and begs leave to refer all issues of law to this Honorable Court and all questions of fact to a trial therein.

6. Denies in the form alleged each and every allegation set forth in paragraph designated "53" of the Complaint, except admits any care rendered by defendant, ANTHONY GUIDA, M.D., to plaintiff comported with accepted standards of medical practice.

**AS AND FOR AN ANSWER  
TO THE SECOND CAUSE OF ACTION**

7. Repeats and reiterates each and every admission and denial to the allegations set forth in paragraphs "1" through "66" of the

Complaint with the same force and effect as if herein set forth at length in answer to the allegations set forth in paragraph designated "67" of the Complaint.

8. Denies any knowledge or information thereof sufficient to form a belief as to the allegations set forth in paragraphs designated "68", "70", "71", "74", "76", "77", "80", "82", "83", "86", "88", and "89" of the Complaint.

9. Denies each and every allegation set forth in paragraphs designated "69", "72", "73", "75", "78", "79", "81", "84", "85", "87", "90", "91" "92" and "93" of the Complaint.

**AS AND FOR AN ANSWER  
TO THE THIRD CAUSE OF ACTION**

10. Repeats and reiterates each and every admission and denial to the allegations set forth in paragraphs "1" through "93" of the Complaint with the same force and effect as if herein set forth at length in answer to the allegations set forth in paragraph designated "94" of the Complaint.

11. Denies any knowledge or information thereof sufficient to form a belief as to the allegations set forth in paragraphs designated "95", "97", and "98" of the Complaint.

12. Denies each and every allegation set forth in paragraphs designated "96", "99," "100," "101," and "102" of the Complaint.

**AS AND FOR AN ANSWER  
TO THE FOURTH CAUSE OF ACTION**

13. Repeats and reiterates each and every admission and denial to the allegations set forth in paragraphs "1" through "102" of the Complaint with the same force and effect as if herein set forth at length in answer to the allegations set forth in paragraph designated "103" of the Complaint.

14. Denies each and every allegation set forth in paragraphs designated "104", "105", "106" and "107" of the Complaint.

**AS AND FOR AN ANSWER  
TO THE FIFTH CAUSE OF ACTION**

15. Repeats and reiterates each and every admission and denial to the allegations set forth in paragraphs "1" through "107" of the Complaint with the same force and effect as if herein set forth at length in answer to the allegations set forth in paragraph designated "108" of the Complaint.

16. Denies each and every allegation set forth in paragraph designated "109" of the Complaint, and begs leave to refer all issues of law to this Honorable Court and all questions of fact to a trial therein.

17. Denies each and every allegation set forth in paragraphs designated "110" and "111" of the Complaint.

**AS AND FOR A FIRST, SEPARATE AND  
COMPLETE AFFIRMATIVE DEFENSE TO EACH AND  
EVERY CAUSE OR CAUSES OF ACTION IN THE  
COMPLAINT OF THE PLAINTIFF, THE DEFENDANT ALLEGES:**

18. That the alleged causes of action of the plaintiff, as stated in the Complaint, are time-barred in that this action was not commenced within the period of the applicable Statute of Limitations.

**AS AND FOR A SECOND, SEPARATE AND  
COMPLETE AFFIRMATIVE DEFENSE TO EACH AND  
EVERY CAUSE OR CAUSES OF ACTION IN THE  
COMPLAINT OF THE PLAINTIFF, THE DEFENDANT ALLEGES:**

19. That this Court lacks jurisdiction over the person of the defendant.

**AS AND FOR A THIRD, SEPARATE AND  
COMPLETE AFFIRMATIVE DEFENSE TO EACH AND  
EVERY CAUSE OR CAUSES OF ACTION IN THE  
COMPLAINT OF THE PLAINTIFF, THE DEFENDANT ALLEGES:**

20. Defendant asserts any and all defenses including immunity from liability and other protections afforded by Article 30-D of the New York Public Health Law, any and all executive orders enacted by Governor Cuomo in response to the disaster emergency (Covid-19), and any other applicable state law, rule, regulation, or executive order enacted in response to the disaster emergency (Covid-19).

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