

At an Special Term of the Supreme Court, held in and for the County of Erie in the City of Buffalo, New York, on the 1st day of April 2021.

HON. DENNIS E. WARD, J.S.C.

PRESENT: HON. DENNIS E. WARD, J.S.C.
Presiding Justice

STATE OF NEW YORK : COUNTY OF ERIE
SUPREME COURT

ERIC WHITEHEAD as Guardian of
BEVERLY WHITEHEAD,

Plaintiff,

v.

BUFFALO GENERAL HOSPITAL,

Defendant.

ORDER TO SHOW CAUSE

Index No.:

803987/2022

Upon reviewing and filing the annexed Affidavit of Eric Whitehead, the Plaintiff, Eric Whitehead, seeks an Order granting him immediate and emergency relief (A) restraining Buffalo General Hospital, its agents, employees, doctors, nurses, and staff from withdrawing life support for his mother, Beverly Whitehead; (B) providing Mr. Whitehead time to obtain a second opinion from a Neurologist or other doctor qualified to render a medical opinion on Beverly Whitehead's medical condition and prognosis along with access to her; (C) requiring Buffalo General Hospital to turn over all medical records to Mr. Whitehead, relating to Beverly Whitehead, from admission through the present; and (D) granting Mr. Whitehead such other, further, and different relief as this Court may deem just, equitable, and proper.

NOW, upon the Motion of Mr. Whitehead, it is hereby

ORDERED, that the Defendant show cause, at a special term of the Supreme Court, before

the Honorable Dennis E. Ward via Microsoft Teams on the 12th day of April, 2022, at 12³⁰ or as soon thereafter as counsel can be heard, why this Court should not issue an order as follows:

(A) An Order, restraining Buffalo General Hospital, its agents, employees, doctors, nurses, and staff from withdrawing life support from Beverly Whitehead;

(B) An Order, providing Mr. Whitehead time to obtain a second opinion from a Neurologist or other doctor qualified to render a medical opinion on Beverly Whitehead's medical condition and prognosis along with access to her;

(C) An Order, requiring Buffalo General Hospital to turn over all medical records to Mr. Whitehead, relating to Beverly Whitehead, from admission through the present; and


(D) An Order, granting Mr. Whitehead such other, further, and different relief as this Court may deem just, equitable, and proper.

ORDERED, that pending further order of this Court, Buffalo General Hospital, its agents, employees, doctors, nurses, and staff, upon receipt of this Order to Show Cause and its supporting papers, are restrained from withdrawing life support from Beverly Whitehead; and it is further

ORDERED, that pending further order of this Court, Buffalo General Hospital, upon receipt of this Order to Show Cause and its supporting papers, shall immediately turn over all medical records to Mr. Whitehead, relating to Beverly Whitehead, from admission through the present; and it is further

ORDERED, that the service of this Order to Show Cause and supporting papers, ~~shall occur~~

JS on or before acknowledges and shall be deemed good and sufficient service to the following:

has been 

to have had

CONNORS LLP
Michael Roach, Esq.
Attorneys for Defendant
mjr@connorsllp.com

DATED: April 1, 2022



HON. DENNIS E. WARD, J.S.C.

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