

STATE OF NEW YORK
SUPREME COURT : COUNTY OF NIAGARA

AUSTIN LESTER, an infant, by and through
SHANNON LESTER and JEFFREY LESTER,
as his parents and natural guardians,
780 Raymond Drive
Lewiston NY 14092,

Plaintiffs,

-vs-

**SUMMONS Served
with COMPLAINT**

JUDY A. WESOLOWSKI, M.D.,
5290 Military Road
Lewiston NY 14092,

GYNECOLOGY-OBSTETRIC ASSOCIATES
OF WESTERN NEW YORK, P.C.,
151 Buffalo Avenue
Niagara Falls NY 14301,

MOUNT ST. MARY'S HOSPITAL,
5300 Military Road
Lewiston NY 14092,

LAURIE SCHMIDT, R.N.,
6645 Rohr Street
Niagara Falls NY 14304,

NURSE HEATH, R.N.,
5300 Military Road
Lewiston NY 14092,

JANE DOE, R.N.,
(Nurse who provided care to Shannon Lester
on or about 11/12/05 and 11/13/05 at
Mount St. Mary's Hospital,
identified in records as "LL"),

EDWARD I. BROWN, M.D.,
501 Tenth Street
Niagara Falls NY 14301,

Defendants.

DEMPSEY & DEMPSEY / ATTORNEYS AT LAW / BUFFALO, NEW YORK 14202

To the above named Defendants:

YOU ARE HEREBY SUMMONED AND REQUIRED to serve upon the Plaintiff's attorney, at the address stated below, a written Answer to the attached Complaint.

If this Summons is served upon you within the State of New York by personal service, you must respond within TWENTY (20) days after service, not counting the day of service. If this Summons is not personally delivered to you within the State of New York, you must respond within THIRTY (30) days after service is completed, as provided by law.

If you do not respond to the attached Complaint within the applicable time limitation stated above, a Judgment will be entered against you, by default, for the relief demanded in the Complaint, without further notice to you.

This action is brought in the County of Niagara because of:

- Plaintiff's residence, or place of business;
- Defendant's residence; or
- Designation made by Plaintiff.

Date: November 5, 2015
Buffalo, New York

Yours, etc.,

DEMPSEY & DEMPSEY

By: 

EMILY G. CATALANO ESQ.
Attorneys for plaintiffs
561 Franklin Street
Buffalo, New York 14202
(716) 885-8645

STATE OF NEW YORK
SUPREME COURT : COUNTY OF NIAGARA

AUSTIN LESTER, an infant, by and through
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as his parents and natural guardians,

Plaintiffs,

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COMPLAINT

JUDY A. WESOLOWSKI, M.D.,
GYNECOLOGY-OBSTETRIC ASSOCIATES
OF WESTERN NEW YORK, P.C.,
MOUNT ST. MARY'S HOSPITAL,
LAURIE SCHMIDT, R.N.,
NURSE HEATH, R.N.,
JANE DOE, R.N.,
(Nurse who provided care to Shannon Lester
on or about 11/12/05 and 11/13/05 at
Mount St. Mary's Hospital
identified in records as "LL"),
EDWARD I. BROWN, M.D.,

Defendants.

Plaintiffs, by and through their attorneys, DEMPSEY & DEMPSEY, for their
complaint against the defendants in the above-captioned action, states as follows:

1 That at all times hereinafter mentioned, plaintiff Austin Lester, an infant, did
reside and does now reside with his parents Shannon Lester and Jeffrey Lester in the State of New
York, County of Niagara.

2 That upon information and belief and at all times hereinafter mentioned, the
defendant, Judy A. Wesolowski, M.D., was and continues to be a physician duly licensed to practice
medicine in the State of New York with offices at 5290 Military Road, Niagara Falls.

3 That upon information and belief and at all times hereinafter mentioned, the
defendant, Gynecology-Obstetric Associates of Western New York, P.C., is a corporation organized

and existing under the laws of the State of New York with offices at 151 Buffalo Avenue, Niagara Falls.

4 That upon information and belief and at all times hereinafter mentioned, the defendant, Mount St. Mary's Hospital, is a corporation organized and existing under the laws of the State of New York with offices at 5300 Military Road, Lewiston.

5 That upon information and belief and at all times hereinafter mentioned, defendant, Laurie Schmidt, R.N., was and continues to be an employee of Mount St. Mary's Hospital.

6 That upon information and belief and at all times hereinafter mentioned, defendant, Nurse Heath, R.N., was and continues to be an employee of Mount St. Mary's Hospital.

7 That upon information and belief and at all times hereinafter mentioned, defendant, Jane Doe, R.N. (Nurse who provided care to Shannon Lester on or about 11/12/05 and 11/13/05 at Mount St. Mary's Hospital, identified in records as "LL"), was and continues to be an employee of Mount St. Mary's Hospital.

8 That upon information and belief and at all times hereinafter mentioned, the defendant, Edward I. Brown, M.D., was and continues to be a physician duly licensed to practice medicine in the State of New York with offices at 501 Tenth Street, Niagara Falls.

9 That Shannon Lester was admitted to Mount St. Mary's Hospital on or about November 12, 2015. That plaintiff, Austin Lester, was born at Mount St. Mary's Hospital on

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10 That the medical care and treatment rendered to plaintiff, Austin Lester, by the defendants was negligently, carelessly and unskillfully performed.

11 That solely due to the negligence of the defendants, plaintiff Austin Lester, was rendered sick, sore, lame and disabled; has been and will be forced to expend large amounts of

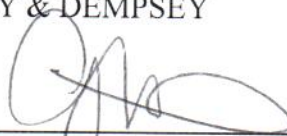
monies for medical expenses; has been and will be unable to perform his usual duties and has been damaged as a result thereof in an amount substantially in excess of the jurisdictional limits of all lower courts.

Date: November 5, 2015
Buffalo, New York

Yours, etc.,

DEMPSEY & DEMPSEY

By: _____


EMILY G. CATALANO, ESQ.
Attorneys for plaintiff
561 Franklin Street
Buffalo, New York 14202
(716) 885-8645