

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JANET DEANGELIS,

Plaintiff,

MEMORANDUM AND ORDER

-against-

CV 15-2363 (LDW) (AYS)

JOHN T. MATHER MEMORIAL
HOSPITAL OF PORT JEFFERSON,
NEW YORK, INC.,

Defendant.

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WEXLER, District Judge

Plaintiff Janet DeAngelis brings this action against defendant John T. Mather Memorial Hospital of Port Jefferson, New York, Inc., asserting claims for disability discrimination and retaliation in violation of the Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.* Defendant moves for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure (“FRCP”) [DE 30]. Plaintiff opposes the motion and requests that the Court ignore “Defendant’s Reply Statement in Opposition to Plaintiff’s Counterstatement Pursuant to Local Rule 56.1 (“LCR 56.1 Reply”) [DE 38, 40].

Upon consideration, the Court denies plaintiff’s request that the Court ignore defendant’s LCR 56.1 Reply, and the Court denies defendant’s motion for summary judgment, as genuine disputes of material fact exist precluding the entry

of summary judgment. *See* FRCP 56(a) (party seeking summary judgment must demonstrate that “there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law”); *Celotex Corp. v. Catrett*, 477 U.S. 317, 322 (1986); *Gallo v. Prudential Residential Servs. Ltd. P’ship*, 22 F.3d 1219, 1223-24 (2d Cir. 1994).

SO ORDERED.

/s/

LEONARD D. WEXLER
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York
June 9, 2017