

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**TERRY GORDON,**  
Plaintiff,

vs.

**CASE NUMBER: 8:13-CV-441 (DNH/CFH)**

**STEPHENS MUNDY, individually and as Chief Executive Officer, Community Providers, Inc., and as Chief Executive Officer, Champlain Valley Physicians Hospital, Inc.; DEBORAH STEWART, individually and as Patient Advocate, Champlain Valley Physicians Hospital Inc.; PAUL SANDS, individually and as Chairman of the Board, Community Providers Inc.; JOHN RUGGE, individually and as Chief Executive Officer, Hudson Headwater Health Network; DESMOND RACICOT, individually and as Plattsburgh City Police Chief; MORIAH HEALTH CENTER; CHAMPLAIN VALLEY PHYSICIANS HOSPITAL, INC., Keeper of the Records; DANA JEWELER, individually and as Executive Assistant, Champlain Valley Physicians Hospital, Inc.; COMMUNITY PROVIDERS, INC.; ADIRONDACK HEALTH INSTITUTE, INC.; CHESTER-HORICAN HEALTH CENTER; GEORGE PURDUE, individually; CLARK, Plattsburgh City Police Officer; KIROY, Plattsburgh City Police Officer; BRIAN MAJOR(S), Plattsburgh City Police Officer; THOMAS PLIMPTON, individually and as Thomas Plimpton, Esq.; JUSTIN MEYERS, individually and as Justin Meyers, Esq.; SUSANNA PILLER, Managing Partner; NEW YORK STATE DEPARTMENT OF HEALTH; CITY OF PLATTSBURGH; MAYOR DONALD KASPRZAK; NIRAV R. SHAH, MPH Commissioner; ANDREW R. CUOMO, Governor of New York State; MOUNTAIN VIEW PEDIATRICS; DR. MARINA MEDVED; DR. JOSH SCHWARTZBERG; DR. HEIDI MOORE, as Chairwoman; BEVERLY BRIDGER, individually; MARY CLARISSE KILAYKO, individually; ADIRONDACK MEDICAL CENTER;**

**DR. WAGUIH KIROLLOS; DR. RALPH M. CHANDLER, individually and as President and CEO, Adirondack Medical Center; DR. ROB DEMURO, individually; DR. DEBRA CLARK, individually; DR. KIRSTIN AMBLER; DR. CRAIG RICHARDS; DR. MAURICE A. RACINE, individually and as Employee, Hudson Headwater; CATHY HOMKEY, Chief Executive Officer, Adirondack Health Institute, Inc.; SAGAMORE INSTITUTE OF THE ADIRONDACKS, INC.; ELIZABETHTOWN COMMUNITY HOSPITAL; RODNEY BOULA, individually and as Chief Executive Officer, Elizabethtown Community Hospital; GLENN SCHROYER, individually and MD; PLATTSBURGH MEDICAL CARE; VALCOUR IMAGING, LLC; CHRISTOPHER C. BOOTH, individually; JOSEPH SAMARAS, MD; DIANA HOUSE, individually; LIFETIME HEALTHCARE COMPANIES; EXCELLUS BLUE CROSS BLUE SHIELD; BLUE CROSS BLUE SHIELD OF NORTH EASTERN NY; JOHN MASELLA, individually and as Chairman of the Board, Champlain Valley Physicians Hospital Inc.; and JAMES FORCIER, individually,**  
Defendants.

**Decision by Court.** This action came to a hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That all of defendants' motions to dismiss are GRANTED. All claims pursuant to 42 U.S.C. § 1983 are DISMISSED. Any remaining state law claims are DISMISSED without prejudice. The complaint is DISMISSED in its entirety.

All of the above pursuant to the order of the Honorable Judge David N. Hurd, dated the 10<sup>th</sup> day of January, 2014.

DATED: January 13, 2014

  
Clerk of Court

By: s/ Nicole Killius  
Deputy Clerk