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Regan v New York State Dept. of Civ. Serv.
284 A.D.2d 950, 725 N.Y.S.2d 917
N.Y.A.D.,2001.

917 (Mem)6022001 WL 6336249992001 N.Y. Slip
Op. 051124603, 725 N.Y.S.2d 917725 N.Y.S.2d
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Op. 051124603

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633624, 2001 N.Y. Slip Op. 05112

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John M. Regan, on Behalf of Himself and all Other
Vestees Within the New York State Health Insur-
ance Plan Similarly Situated, Appellant,

v.

New York State Department of Civil Service et al.,
Respondents, et al., Defendant. (Appeal No. 1.)
Supreme Court, Appellate Division, Fourth Depart-
ment, New York

(June 8, 2001)

CITE TITLE AS: Regan v New York State Dept. of
Civ. Serv.

Order unanimously affirmed without costs.

We affirm for reasons stated in the decision at Su-
preme Court (Corning, J.). We add only that
plaintiff failed to demonstrate that further discovery
would disclose evidence that would affect the
parties' rights and duties under the group health in-
surance contract (*see, Dano v Royal Globe Ins. Co.*,
89 AD2d 817, 818, *aff'd* 59 NY2d 827; *see also,*
Zuckerman v City of New York, 49 NY2d 557, 562).
(Appeal from Order of Supreme Court, Monroe
County, Corning, J.--Discovery.)

Present--Green, J. P., Pine, Hurlbutt, Kehoe and
Burns, JJ.

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N.Y.A.D.,2001.

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