

STATE OF NEW YORK  
COURT OF APPEALS

---

ST. JOSEPH HOSPITAL OF CHEEKTOWAGA,  
NEW YORK and CATHOLIC HEALTH SYSTEM, INC.,

Plaintiffs-Appellants,

v.

ANTONIA C. NOVELLO, as New York State  
Health Commissioner, THE NEW YORK STATE  
COMMISSION ON HEALTHCARE FACILITIES  
IN THE 21ST CENTURY, GEORGE E. PATAKI,  
as Governor of the State of New York  
and THE STATE OF NEW YORK,

Defendants-Respondents.

---


**Notice of Entry**  
**CA 07-00587**

Erie Co. Index No.  
I-2006-11568

PLEASE TAKE NOTICE THAT the within is a true copy of the order (with decision attached) of the New York Court of Appeals in the above matter, entered with the Clerk of that court on February 12, 2008.

Dated: February 13, 2008  
Albany, New York

ANDREW M. CUOMO  
Attorney General of the  
State of New York  
Attorney for Respondents  
The Capitol  
Albany, New York 12224

By:   
Victor Paladino

To:

Kenneth A. Manning, Esq.  
Phillips Lytle LLP  
Suite 3400  
One HSBC Center  
Buffalo, New York 14203-2887