

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

1294

CA 18-01758

PRESENT: CENTRA, J.P., CARNI, LINDLEY, CURRAN, AND WINSLOW, JJ.

IN THE MATTER OF THE APPLICATION OF HSBC
BANK USA, N.A. TRUSTEE,
PETITIONER-APPELLANT-RESPONDENT,

FOR THE JUDICIAL SETTLEMENT OF THE INTERMEDIATE
AND FINAL ACCOUNTS AS TRUSTEES OF TRUST BY
GRACE M. KNOX, DATED DECEMBER 26, 1934, GRANTOR,
FOR THE BENEFIT OF GRACIA M. CAMPBELL (FORMERLY
KNOWN AS GRACIA C. FLICKINGER), FOR THE PERIOD
FROM AUGUST 15, 1971 TO JUNE 15, 2012.
(PROCEEDING NO. 1.)

ORDER

IN THE MATTER OF THE APPLICATION OF MELISSA C.
ENGLAND AND BENJAMIN K. CAMPBELL, AS PERSONAL
REPRESENTATIVES OF THE ESTATE OF HAZARD K.
CAMPBELL, SR., AND HSBC BANK USA, N.A.,
CO-TRUSTEES, PETITIONERS-APPELLANTS-RESPONDENTS,

FOR THE JUDICIAL SETTLEMENT OF THE INTERMEDIATE
ACCOUNT AS TRUSTEES OF TRUST BY MARJORIE KNOX
CAMPBELL, DATED DECEMBER 29, 1934, GRANTOR, FOR
THE BENEFIT OF HAZARD K. CAMPBELL, SR.,
MARJORIE K. CAMPBELL AND GRACIA M. CAMPBELL,
FOR THE PERIODS FROM DECEMBER 29, 1934 TO
NOVEMBER 5, 1972 AND NOVEMBER 5, 1972 TO
SEPTEMBER 24, 2011.
(PROCEEDING NO. 2.)

IN THE MATTER OF THE APPLICATION OF MELISSA C.
ENGLAND AND BENJAMIN K. CAMPBELL, AS PERSONAL
REPRESENTATIVES OF THE ESTATE OF HAZARD K.
CAMPBELL, SR., AND HSBC BANK USA, N.A.,
CO-TRUSTEES, PETITIONERS-APPELLANTS-RESPONDENTS,

FOR THE JUDICIAL SETTLEMENT OF THE FIRST
INTERMEDIATE ACCOUNT AS TRUSTEES OF TRUST BY
MARJORIE K.C. KLOPP, DATED OCTOBER 11, 1961,
GRANTOR, FOR THE BENEFIT OF THE ISSUE OF
GRACIA M. CAMPBELL (FORMERLY KNOWN AS GRACIA C.
FLICKINGER) FOR THE PERIOD FROM OCTOBER 11, 1961
TO MAY 9, 2012
(PROCEEDING NO. 3.)

GRACIA E. CAMPBELL, CLARISSA L. VAIDA AND
HEATHER B. BYRNE,
RESPONDENTS-RESPONDENTS-APPELLANTS.

(APPEAL NO. 1.)

PHILLIPS LYTTLE LLP, BUFFALO (AMANDA L. LOWE OF COUNSEL), FOR
PETITIONERS-APPELLANTS-RESPONDENTS.

LAWRENCE J. KONCELIK, JR., EAST HAMPTON, FOR RESPONDENTS-RESPONDENTS-
APPELLANTS.

Appeal and cross appeal from an order of the Supreme Court, Erie
County (Diane Y. Devlin, J.), entered July 12, 2018. The order, inter
alia, allocated attorneys' fees and costs among the various trusts.

It is hereby ORDERED that said appeal and cross appeal are
unanimously dismissed without costs (*see Matter of Eric D.* [appeal No.
1], 162 AD2d 1051, 1051 [4th Dept 1990]).

Entered: June 12, 2020

Mark W. Bennett
Clerk of the Court