

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

**241**

**CA 15-01757**

PRESENT: WHALEN, P.J., CENTRA, PERADOTTO, DEJOSEPH, AND SCUDDER, JJ.

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ED FERRIS, PLAINTIFF-APPELLANT,

V

ORDER

BENTON B. KENDIG, III, AND MICHELLE MERCIER,  
AS EXECUTORS OF THE ESTATE OF GEORGE MERCIER,  
DECEASED, AND GMC MANAGEMENT CORP.,  
DEFENDANTS-RESPONDENTS.

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ED FERRIS, PLAINTIFF-APPELLANT PRO SE.

WOODS OVIATT GILMAN LLP, ROCHESTER (F. MICHAEL OSTRANDER OF COUNSEL),  
FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered January 23, 2015. The order granted the motion of defendants to dismiss the complaint, dismissed the complaint and awarded defendants disbursements and attorney's fees in the amount of \$3,549.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Entered: March 24, 2017

Frances E. Cafarell  
Clerk of the Court