

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

**1445**

**CA 18-00324**

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, CURRAN, AND TROUTMAN, JJ.

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DEBORAH A. CARR-HOAGLAND AND JAMES L. HOAGLAND,  
PLAINTIFFS-RESPONDENTS,

V

MEMORANDUM AND ORDER

JOHN L. PATTERSON, AS EXECUTOR OF THE ESTATE  
OF JOHN J. PATTERSON, DECEASED, AND CHERYL A.  
PATTERSON, DEFENDANTS-APPELLANTS.  
(APPEAL NO. 2.)

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LAW OFFICE OF VICTOR M. WRIGHT, ORCHARD PARK (RACHEL EMMINGER OF  
COUNSEL), FOR DEFENDANTS-APPELLANTS.

GELBER & O'CONNELL, LLC, AMHERST (TIMOTHY G. O'CONNELL OF COUNSEL),  
FOR PLAINTIFFS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered October 25, 2017. The order denied the motion of defendants for bifurcation.

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

Same memorandum as in *Carr-Hoagland v Patterson* ([appeal No. 1] – AD3d – [Mar. 15, 2019] [4th Dept 2019]).

Entered: March 15, 2019

Mark W. Bennett  
Clerk of the Court