

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

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CA 19-01357

PRESENT: WHALEN, P.J., CENTRA, CURRAN, WINSLOW, AND BANNISTER, JJ.

PAUL ZIMMER, PLAINTIFF-APPELLANT,

V

ORDER

JAMES K. ZIMMER, AS EXECUTOR OF THE ESTATE
OF ROBERTA JUNE ZIMMER, DECEASED,
DEFENDANT-RESPONDENT.

TREVETT CRISTO P.C., ROCHESTER (DAVID H. EALY OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

WOODS OVIATT GILMAN LLP, ROCHESTER (F. MICHAEL OSTRANDER OF COUNSEL),
AND WIEDMAN, VAZZANA, CORCORAN & VOLTA, P.C., FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Surrogate's Court, Monroe County
(John M. Owens, S.), entered October 9, 2018. The order, inter alia,
granted the motion of defendant for summary judgment dismissing the
complaint.

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

Entered: March 13, 2020

Mark W. Bennett
Clerk of the Court