

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

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CA 12-00499

PRESENT: SCUDDER, P.J., FAHEY, LINDLEY, SCONIERS, AND MARTOCHE, JJ.

FREDERICK W. ZABEL, PLAINTIFF-RESPONDENT,

V

ORDER

M&T BANK, DEFENDANT-APPELLANT.

HODGSON RUSS LLP, BUFFALO (JOSHUA FEINSTEIN OF COUNSEL), FOR
DEFENDANT-APPELLANT.

CHACCHIA & FLEMING, LLP, HAMBURG (LISA A. POCH OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered October 28, 2011. The order granted the motion of plaintiff to compel the production of documents.

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

Entered: September 28, 2012

Frances E. Cafarell
Clerk of the Court