

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

597

CA 14-01306

PRESENT: SCUDDER, P.J., CENTRA, PERADOTTO, AND VALENTINO, JJ.

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IN THE MATTER OF PROBATE OF THE LAST WILL  
AND TESTAMENT OF ROBERT BODKIN, ALSO KNOWN AS  
ROBERT C. BODKIN, DECEASED.

----- MEMORANDUM AND ORDER

ROBIN P. GRAHAM, PRELIMINARY EXECUTOR OF THE  
ESTATE OF ROBERT BODKIN, ALSO KNOWN AS ROBERT C.  
BODKIN, DECEASED, PETITIONER-RESPONDENT;

DAWN GUETTI AND WILLIAM J. BODKIN,  
OBJECTANTS-APPELLANTS;

NEW YORK STATE ATTORNEY GENERAL'S OFFICE,  
RESPONDENT.  
(APPEAL NO. 1.)

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GROSS, SHUMAN, BRIZDLE & GILFILLAN, P.C., BUFFALO (LESLIE MARK  
GREENBAUM OF COUNSEL), FOR OBJECTANTS-APPELLANTS.

PHILLIPS LYTTLE LLP, BUFFALO (ALAN J. BOZER OF COUNSEL), FOR  
PETITIONER-RESPONDENT.

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Appeal from an order of the Surrogate's Court, Erie County  
(Barbara Howe, S.), entered October 2, 2012. The order denied the  
motion of objectants to disqualify counsel for petitioner.

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

Same memorandum as in *Matter of Bodkin* ([appeal No. 3] \_\_\_ AD3d  
\_\_\_ [May 8, 2015]).

Entered: May 8, 2015

Frances E. Cafarell  
Clerk of the Court