

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

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CA 16-00146

PRESENT: CARNI, J.P., LINDLEY, DEJOSEPH, TROUTMAN, AND SCUDDER, JJ.

IN THE MATTER OF THE JUDICIAL SETTLEMENT OF
THE INTERMEDIATE ACCOUNT OF HSBC BANK USA, N.A.,
AS TRUSTEE OF THE TRUST UNDER AGREEMENT DATED
JANUARY 21, 1957, SEYMOUR H. KNOX, GRANTOR, FOR
THE BENEFIT OF THE ISSUE OF SEYMOUR H. KNOX, III
FOR THE PERIOD JANUARY 21, 1957 TO NOVEMBER 3,
2005.

ORDER

(PROCEEDING NO. 1.)

IN THE MATTER OF THE JUDICIAL SETTLEMENT OF THE
ACCOUNT OF HSBC BANK USA, N.A., AS TRUSTEE OF THE
TRUST UNDER AGREEMENT DATED JANUARY 21, 1957,
SEYMOUR H. KNOX, GRANTOR, FOR THE BENEFIT OF THE
ISSUE OF SEYMOUR H. KNOX, III FOR THE PERIOD
NOVEMBER 4, 2005 TO JUNE 25, 2012.

(PROCEEDING NO. 2.)

IN THE MATTER OF THE JUDICIAL SETTLEMENT OF THE
ACCOUNT OF W.A. READ KNOX, SUCCESSOR TRUSTEE, JEAN R.
KNOX, AND HSBC BANK USA, N.A., AS TRUSTEES OF THE
TRUST UNDER ARTICLE THIRD OF THE WILL OF SEYMOUR H.
KNOX, III, DECEASED, FOR THE PERIOD JULY 16, 1998 TO
NOVEMBER 3, 2005.

(PROCEEDING NO. 3.)

IN THE MATTER OF THE JUDICIAL SETTLEMENT OF THE
ACCOUNT OF W.A. READ KNOX, SUCCESSOR TRUSTEE, JEAN R.
KNOX, AND HSBC BANK USA, N.A., AS TRUSTEES OF THE
TRUST UNDER ARTICLE THIRD OF THE WILL OF SEYMOUR H.
KNOX, III, DECEASED, FOR THE PERIOD NOVEMBER 4, 2005
TO SEPTEMBER 4, 2012.

(PROCEEDING NO. 4.)

IN THE MATTER OF THE JUDICIAL SETTLEMENT OF THE
INTERMEDIATE ACCOUNT OF W.A. READ KNOX, SUCCESSOR
TRUSTEE, JEAN R. KNOX AND HSBC BANK USA, N.A., AS
TRUSTEES OF THE TRUST UNDER ARTICLE SEVENTH OF THE
WILL OF SEYMOUR H. KNOX, III, DECEASED, FOR THE
BENEFIT OF JEAN R. KNOX (MARITAL TRUST) FOR THE
PERIOD JUNE 3, 1996 TO NOVEMBER 3, 2005.

(PROCEEDING NO. 5.)

IN THE MATTER OF THE JUDICIAL SETTLEMENT OF THE
ACCOUNT OF W.A. READ KNOX, SUCCESSOR TRUSTEE, JEAN R.
KNOX AND HSBC BANK USA, N.A., AS TRUSTEES OF THE
TRUST UNDER ARTICLE SEVENTH OF THE WILL OF SEYMOUR H.

KNOX, III, DECEASED, FOR THE BENEFIT OF JEAN R. KNOX
(MARITAL TRUST) FOR THE PERIOD NOVEMBER 4, 2005 TO
JANUARY 31, 2013.
(PROCEEDING NO. 6.)

HSBC BANK USA, N.A., PETITIONER-APPELLANT;

W.A. READ KNOX, SEYMOUR H. KNOX, IV, AVERY KNOX,
HELEN KNOX KEILHOLTZ AND JEAN READ KNOX,
OBJECTANTS-RESPONDENTS.
(APPEAL NO. 1.)

HARRIS BEACH PLLC, BUFFALO (RICHARD T. SULLIVAN OF COUNSEL), FOR
PETITIONER-APPELLANT.

HOGAN WILLIG PLLC, AMHERST (LINDA LALLI STARK OF COUNSEL), FOR
OBJECTANTS-RESPONDENTS.

MOSEY ASSOCIATES, LLP, BUFFALO (ACEA M. MOSEY OF COUNSEL), FOR
RESPONDENT AURORA KNOX.

Appeal from an order of the Surrogate's Court, Erie County
(Barbara Howe, S.), entered July 13, 2015. The order denied in part
the petition of HSBC Bank USA, N.A., to modify a decree of May 18,
2011.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs (*see Loafin' Tree Rest. v Pardi* [appeal No. 1], 162 AD2d
985).

Entered: April 28, 2017

Frances E. Cafarell
Clerk of the Court