

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

747

CA 11-01131

PRESENT: SCUDDER, P.J., CENTRA, FAHEY, PERADOTTO, AND SCONIERS, JJ.

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IN THE MATTER OF THE ESTATE OF ALEX G. SCHMIDT,  
ALSO KNOWN AS ALEXANDER GEORGE SCHMIDT,  
DECEASED.

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ANN L. MCLAUGHLIN, PETITIONER-RESPONDENT;

ORDER

THOMAS E. WEBB, JR., AS EXECUTOR OF THE ESTATE  
OF ALEX G. SCHMIDT, ALSO KNOWN AS ALEXANDER  
GEORGE SCHMIDT, DECEASED, RESPONDENT-APPELLANT,  
ET AL., RESPONDENTS.  
(APPEAL NO. 1.)

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DAMON MOREY LLP, BUFFALO (GREGORY ZINI OF COUNSEL), FOR  
RESPONDENT-APPELLANT.

JOSEPH G. MAKOWSKI, BUFFALO (MICHAEL J. FLAHERTY OF COUNSEL), FOR  
PETITIONER-RESPONDENT.

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Appeal from an order of the Surrogate's Court, Erie County  
(Barbara Howe, S.), entered March 15, 2011. The order, insofar as  
appealed from, granted the motion of petitioner for a protective order  
with respect to certain interrogatories.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs for reasons stated in the decision  
by the Surrogate.

Entered: June 8, 2012

Frances E. Cafarell  
Clerk of the Court