

=====
This memorandum is uncorrected and subject to revision before
publication in the New York Reports.

No. 165 SSM 11
Isabella Ayoub,
Respondent,
v.
Joseph Ayoub,
Appellant.

Submitted by Matthew W. Naparty, for appellant.
Submitted by Jerome M. Leitner, for respondent.
Submitted by Harriet Newman Cohen, law guardian.

* * * * *

On review of submissions pursuant to section 500.11 of the Rules,
appeal dismissed, without costs. Under the circumstances of this
case, the parties' settlement agreement subsequent to the
Appellate Division order rendered the appeal to this Court moot.
We decline appellant's request to invoke the mootness exception.
Chief Judge Lippman and Judges Ciparick, Graffeo, Read, Smith,
Pigott and Jones concur.

Decided June 15, 2010