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

USCOA2 No. 216
Lee N. Koehler,
 Appellant,
 v.
The Bank of Bermuda Limited,
 Respondent.

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Certification of question by the United States Court of Appeals
for the Second Circuit, pursuant to section 500.27 of this
Court's Rules of Practice, accepted and the issues presented are
to be considered after briefing and argument. Chief Judge Kaye
and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones
concur.

Decided October 16, 2008