

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

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CA 23-01839

PRESENT: SMITH, J.P., BANNISTER, MONTOUR, GREENWOOD, AND KEANE, JJ.

IN THE MATTER OF THE ESTATE OF GORDON EWING,
ALSO KNOWN AS GORDON M. EWING, DECEASED.

ORDER

NANCY EWING, AS EXECUTOR OF THE ESTATE OF
GORDON EWING, PETITIONER-APPELLANT,

GAIL BURNS, INDIVIDUALLY AND AS ADMINISTRATOR
OF THE ESTATE OF REBECCA J. BURNS-EWING,
RESPONDENT-RESPONDENT.
(APPEAL NO. 1.)

COLE, SORRENTINO, HURLEY, HEWNER & GAMBINO, P.C., BUFFALO, MAGAVERN
MAGAVERN GRIMM LLP (EDWARD J. MARKARIAN OF COUNSEL), FOR
PETITIONER-APPELLANT.

JEFFREY F. VOELKL, WILLIAMSVILLE, FOR RESPONDENT-RESPONDENT.

Appeal from an order of the Surrogate's Court, Erie County (Acea M. Mosey, S.), entered August 21, 2023. The order, among other things, directed the Estate of Gordon Ewing to pay respondent Gail Burns, as the fiduciary of the Estate of Rebecca J. Burns-Ewing, the sum of \$41,780.83.

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

Entered: January 31, 2025

Ann Dillon Flynn
Clerk of the Court