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

No. 61 SSM 39
Esther York,
 Appellant,
 v.
Joseph York,
 Respondent.

Submitted by Richard A. Greenberg, for appellant.
Submitted by Franklyn H. Snitow, for respondent.

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On review of submissions pursuant to section 500.11 of the Rules,
order affirmed, with costs, and the certified question answered
in the affirmative. The order below was not an abuse of
discretion. Chief Judge Lippman and Judges Graffeo, Read, Smith,
Pigott, Rivera and Abdus-Salaam concur.

Decided January 14, 2014