

Matter of Muser

Motion No: 2021-02428

Slip Opinion No: 2021 NYSlipOp 72974(U)

Decided on October 12, 2021

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the
Official Reports.

Supreme Court of the State of New York
Appellate Division, First Judicial Department

PRESENT: Hon. Sallie Manzanet-Daniels,
 Barbara R. Kapnick
 Lizbeth González
 Martin Shulman,

Justice Presiding,

Justices.

In the Matter Howard Muser,
 Petitioner,

Motion No. 2021-02428
Index No. 500123/19
Case No. 2020-04570

For the Appointment of a Guardian of the
Person and Property of Judith Brook,
an Alleged Incapacitated Person

Adam Brook, M.D., PHD,
 Cross-Petitioner-Appellant,

-against-

Howard Muser,
 Petitioner-Respondent.

Dr. Judith Brook,
 Conservatee,

Joseph Ruotolo,
 Guardian Ad Litem-Respondent,

Ira Salzman,
 Court Examiner-Respondent,

Nicole Fleur Hazard Brook,
 Third-Party Petitioner,

Ian Seth Shainbrown et al.,
 Claimants-Respondents,

James Stuart Kaplan,
 Claimant.

Cross-petitioner-appellant Adam Brook M.D., Ph.D. having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on June 17, 2021 (Appeal No. 14093),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied. Petitioner Howard Muser's request for costs and sanctions is denied.

ENTERED: October 12, 2021

A handwritten signature in black ink, appearing to read "Susanna Molina Rojas". The signature is fluid and cursive, with the first name "Susanna" being the most prominent part.

Susanna Molina Rojas
Clerk of the Court