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

No. 180

In the Matter of Flora Fasoldt
et al.,

Respondents,

v.

Lawrence Bugbee et al.,
&c.,

Respondents,

Christopher N. Consuello et al.,
Appellants.

In the Matter of James Brearton
et al.,

Respondents,

v.

Lawrence Bugbee et al.,
&c.,

Respondents,

Christopher N. Consuello et al.,
Appellants.

David L. Gruenberg, for appellants.

Thomas V. Kenney, Jr., for respondents Fasoldt,
Brearton et al.

* * * * *

Order reversed and proceedings dismissed (see Matter of Cass v Krakower, __ NY3d __ [decided today]). Chief Judge Lippman and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided August 26, 2009