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

No. 151
In the Matter of Thomas Gillen,
&c.,
 Appellant,
 v.
Steven D. Conkling, &c.,
 Respondent.

Kenneth Cooperstein, for appellant.
Gil Nahmias, for respondent.

* * * * *
Appeal dismissed, without costs, upon the ground that the issues
presented have become moot. Chief Judge Lippman and Judges
Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided October 27, 2009