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

No. 182 SSM 22
In the Matter of the Estate of
Rocky H. Aoki, Also Known as
Hiroaki Aoki,
Deceased.
Keiko Ono Aoki,
Respondent,
v.
Kana Aoki Nootenboom et al.,
Appellants,
et al.,
Respondent.

Submitted by Joseph P. Sullivan, for appellants.
Submitted by Richard B. Feldman, for respondent Keiko
Ono Aoki.

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On review of submissions pursuant to section 500.11 of the Rules
(22 NYCRR 500.11), order affirmed, with costs, and the certified
question answered in the affirmative. We agree with the
Appellate Division that Surrogate's Court did not abuse its
discretion by setting a December 2009 deadline for the completion
of discovery and limiting the identity and number of individuals
to be deposed. Chief Judge Lippman and Judges Ciparick, Graffeo,
Read, Smith, Pigott and Jones concur.

Decided June 9, 2011

