

**SUPREME COURT OF THE STATE OF NEW YORK**  
***Appellate Division, Fourth Judicial Department***

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**CA 11-01679**

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, SCONIERS, AND GORSKI, JJ.

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XIAO XIA ZHANG, PLAINTIFF-RESPONDENT,

V

ORDER

HERBERT E. WILLIS, DEFENDANT-APPELLANT.

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JUSTIN S. WHITE, WILLIAMSVILLE, FOR DEFENDANT-APPELLANT.

R. THOMAS BURGASSER, PLLC, NORTH TONAWANDA (HELENE DIPASQUALE OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered March 23, 2011. The order, among other things, denied defendant's application to vacate a default judgment.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated at Supreme Court.

Entered: January 31, 2012

Frances E. Cafarell  
Clerk of the Court