

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

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**CA 12-01660**

PRESENT: SCUDDER, P.J., FAHEY, PERADOTTO, CARNI, AND VALENTINO, JJ.

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FRANK C. SLAZYK, AS REPRESENTATIVE OF  
THE ESTATE OF ROSE SLAZYK, DECEASED AND  
FRANK N. SLAZYK, PLAINTIFFS-APPELLANTS,

V

ORDER

JOYCE DAVOLI, DEFENDANT-RESPONDENT.  
(APPEAL NO. 3.)

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PETER BARTLETT NICELY, BUFFALO, FOR PLAINTIFFS-APPELLANTS.

DIMATTEO LAW OFFICE, WARSAW (DAVID M. ROACH OF COUNSEL), FOR  
DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered February 24, 2012. The order granted the motion of defendant for a protective order and denied the cross motion of plaintiffs to compel answers to interrogatories and for sanctions.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Entered: February 7, 2014

Frances E. Cafarell  
Clerk of the Court