

# State of New York Court of Appeals

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

No. 110 SSM 12  
John P. Mery et al.,  
Appellants,  
v.  
Frank Eginger,  
Defendant,  
Society of Friends Church, &c.,  
Respondent.

Submitted by Brian J. Isaac, for appellants.  
Submitted by Robert G. Spevack, for respondent.

\* \* \* \* \*

On review of submissions pursuant to section 500.11 of the Rules, order affirmed, with costs, for the reasons stated in the memorandum at the Appellate Division (149 AD3d 827 [2017]) and certified question not answered as unnecessary. Chief Judge DiFiore and Judges Rivera, Stein, Fahey, Garcia, Wilson and Feinman concur.

Decided June 7, 2018