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ORDER OF FINAL JUDGMENT OF THE HON. GERALD J. WHELAN, J.S.C. WITH BILL OF COSTS GRANTED MAY 14, 2008 AND FILED MAY 16, 2008 [8-10]

At a Special Term of the Supreme Court held in and for the County of Erie, at the Courthouse, Part 22 at 25 Delaware Avenue, Buffalo, New York, on the 8 day of May, 2008.

PRESENT: Gerald J. Whalen J.S.C.  
JUSTICE PRESIDING

FILED

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE  
\*\*\*\*\*

MAY 16 2008

ERIE COUNTY  
CLERK'S OFFICE

JEFFREY M. GRINER,  
*173 Summer Street*  
Plaintiffs, *Buffalo, NY 14222*

ORDER OF FINAL  
JUDGMENT

v.

INDEX NO.  
2005-3606

SAMUEL NATHAN FRANKEL As Executor of the  
Estate of FRANCES I. CHAMELI and *→ 3622 Tuxedo Rd.*  
ACEA M. MOSEY in her capacity as Public *Atlanta Georgia 30305*  
Administrator for the Estate of JOHN M. CHAMELI,  
*625 Delaware Ave Suite 100 Buf NY 14202*  
Defendants.

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The issues in the above-captioned action having come on for trial before the Honorable Gerald J. Whalen, J.S.C. and a jury at Part 22, held at the Courthouse at 25 Delaware Avenue, Buffalo, New York 14202, from November 21st through December 3, 2007, and the parties having appeared by their respective attorneys, and the issues having been tried, and the jury having rendered a verdict and ordered final judgment upon the merits in favor of the plaintiff, Jeffrey M. Griner and against the defendants Samuel

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Nathan Frankel as Executor of the Estate of Frances I. Chameli and Acea M. Mosey in her capacity as Public Administrator for the Estate of John M. Chameii and the costs of the plaintiff having been taxed by the Clerk of this Court in the sum of \$700.00,

NOW, upon the motion of Cellino & Barnes, P.C., John C. Murrett, Jr., of counsel, attorney for the plaintiff it is hereby

ORDERED, adjudged and decreed that the plaintiff Jeffrey M. Griner have a judgment against the defendants Samuel Nathan Frankel as Executor of the Estate of Frances I. Chameli and Acea M. Mosey in her capacity as Public Administrator for the Estate of John M. Chameli in the amount of \$1,088,697.48 and interest thereon from the date of verdict of December 3, 2007, together with costs taxed in the amount of \$700.00 and the plaintiff shall have execution thereof.

GRANTED  
MAY 14 2008  
BY *Susan M. Monan*  
SUSAN M. MONAN  
COURT CLERK

*[Signature]*  
Gerald J. Whalen, J.S.C.

*Judgment Signed and Returned 16 days, May 2008*  
*[Signature]* COUNTY CLERK

ENTER:

Judgment entered this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Clerk