

Present: HON. ROBERT L. NAHMAN  
SURROGATE  
SURROGATE'S COURT : QUEENS COUNTY

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Probate Proceeding, Lost Will of

DAVID R. JACOBY,

File No. 2006-4003/A

Deceased.  
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This is a proceeding to probate the lost will of the decedent. The objections to probate were withdrawn by stipulation among the parties dated January 29, 2008.

After a hearing, the Court finds that the decedent duly executed his will on October 30, 1992 and that at the time of such execution the decedent was in all respects competent to make a will and not under restraint. The Court further finds that the original instrument was lost after the date of the decedent's death, and that it was not revoked.

The Court further finds that the instrument offered is a true and complete copy of the provisions of the original will dated October 30, 1992.

Accordingly, the lost will is admitted to probate. Letters Testamentary shall issue to the petitioner upon her duly qualifying.

Settle decree establishing the terms of decedent's last will and testament dated October 30, 1992 and incorporating the term of the stipulation.

The Clerk of the Court is directed to mail a copy of this decision to the parties who have appeared in this proceeding.

Dated: January 30, 2008

  
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Liber 294 pg 74.