

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

**453**

**CA 15-00882**

PRESENT: WHALEN, P.J., CARNI, NEMOYER, TROUTMAN, AND SCUDDER, JJ.

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IN THE MATTER OF THE EIGHTH JUDICIAL DISTRICT  
ASBESTOS LITIGATION.

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BETH ANN PIENTA, AS SUCCESSOR EXECUTRIX OF THE  
ESTATE OF LEE HOLDSWORTH, DECEASED, AND AS  
EXECUTRIX OF THE ESTATE OF CAROL A. HOLDSWORTH,  
DECEASED, PLAINTIFF-RESPONDENT,

V

ORDER

A.W. CHESTERTON COMPANY, ET AL., DEFENDANTS,  
AND CRANE CO., DEFENDANT-APPELLANT.  
(APPEAL NO. 1.)

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K&L GATES LLP, NEW YORK CITY (MICHAEL J. ROSS, OF THE PENNSYLVANIA  
BAR, ADMITTED PRO HAC VICE, OF COUNSEL), FOR DEFENDANT-APPELLANT.

LIPSITZ & PONTERIO, LLC, BUFFALO (DENNIS P. HARLOW OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Jeremiah  
J. Moriarty, III, J.), entered July 10, 2014. The order denied the  
motion of defendant Crane Co. to set aside a jury verdict.

It is hereby ORDERED that said appeal is unanimously dismissed  
without costs (*see Smith v Catholic Med. Ctr. of Brooklyn & Queens*,  
155 AD2d 435; *see also* CPLR 5501 [a] [1], [2]).

Entered: July 8, 2016

Frances E. Cafarell  
Clerk of the Court