

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

705

**CA 20-01551**

PRESENT: CENTRA, J.P., PERADOTTO, NEMOYER, CURRAN, AND DEJOSEPH, JJ.

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JEREMY KAPPELL, PLAINTIFF-APPELLANT,

V

ORDER

WHEC-TV, LLC, HUBBARD BROADCASTING, INC.,  
AND RICHARD REINGOLD, DEFENDANTS-RESPONDENTS.

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RICOTTA & MARKS, P.C., LONG ISLAND CITY (THOMAS RICOTTA OF COUNSEL),  
FOR PLAINTIFF-APPELLANT.

NIXON PEABODY LLP, ROCHESTER (CHRISTOPHER D. THOMAS OF COUNSEL), FOR  
DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Monroe County (William K. Taylor, J.), entered March 16, 2020. The order, insofar as appealed from, granted the motion of defendants to dismiss the amended complaint, dismissed the amended complaint and denied the cross motion of plaintiff for leave to amend the amended complaint.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: August 26, 2021

Mark W. Bennett  
Clerk of the Court