

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

712

CA 19-01361

PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, TROUTMAN, AND DEJOSEPH, JJ.

KEVIN KNETSCH, PLAINTIFF-RESPONDENT-APPELLANT,

V

ORDER

DELMONTE CORPORATION, ET AL., DEFENDANTS,
J.M. SMUCKER COMPANY AND BIG HEART PET
BRANDS, INC., DEFENDANTS-APPELLANTS-RESPONDENTS.

SHAUB, AHMUTY, CITRIN & SPRATT, LLP, LAKE SUCCESS (GERARD RATH OF
COUNSEL), FOR DEFENDANTS-APPELLANTS-RESPONDENTS.

DOLCE PANEPINTO, P.C., BUFFALO (EDWARD L. SMITH, III, OF COUNSEL), FOR
PLAINTIFF-RESPONDENT-APPELLANT.

Appeal and cross appeal from an order of the Supreme Court, Erie
County (Joseph R. Glownia, J.), entered July 16, 2019. The order
granted in part and denied in part the respective posttrial motions of
the parties.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on October 2, 2020,

It is hereby ORDERED that said appeal and cross appeal are
unanimously dismissed without costs upon stipulation.

Entered: October 9, 2020

Mark W. Bennett
Clerk of the Court