



*SUPREME COURT OF THE STATE OF NEW YORK*  
*APPELLATE DIVISION: FOURTH JUDICIAL DEPARTMENT*

DECISIONS FILED

AUGUST 10, 2021

HON. GERALD J. WHALEN, PRESIDING JUSTICE

HON. NANCY E. SMITH

HON. JOHN V. CENTRA

HON. ERIN M. PERADOTTO

HON. EDWARD D. CARNI

HON. STEPHEN K. LINDLEY

HON. PATRICK H. NEMOYER

HON. JOHN M. CURRAN

HON. SHIRLEY TROUTMAN

HON. JOANNE M. WINSLOW

HON. TRACEY A. BANNISTER

HON. BRIAN F. DEJOSEPH, ASSOCIATE JUSTICES

MARK W. BENNETT, CLERK

COMBINED CIVIL/CRIMINAL DECISION INDEX FOR AUGUST 10, 2021 TERM

Case Name

Cal No	Docket No	Term Date	Disposition Date	Lower Court Number
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ONONDAGA COUNTY \*\*\*\*\*

FIELD, DEREK J. v PET HAVEN, INC., 465	CA 20-01120	04/14/2021	08/10/2021	(2014EF292)
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Total Cases Listed for this county = 1

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

**465**

**CA 20-01120**

PRESENT: CENTRA, J.P., CARNI, NEMOYER, TROUTMAN, AND WINSLOW, JJ.

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DEREK J. FIELD, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

PET HAVEN, INC., DEFENDANT-APPELLANT.

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SUGARMAN LAW FIRM, LLP, SYRACUSE (STEPHEN A. DAVOLI OF COUNSEL), FOR DEFENDANT-APPELLANT.

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A memorandum and order having been entered July 16, 2021, reversing an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered September 1, 2020,

Now, upon the Court's own motion, with knowledge that a stipulation of discontinuance was filed by the parties in the Onondaga County Clerk's Office on June 7, 2021, without notice to this Court,

It is hereby ORDERED that the memorandum and order entered July 16, 2021, is vacated and the appeal is dismissed as moot.

It is further ORDERED that this Court may, upon its own initiative, take further action to address the failure of the parties to provide the Court with notice of the discontinuance "immediately" pursuant to 22 NYCRR 1250.2 (c).

Entered: August 10, 2021

Mark W. Bennett  
Clerk of the Court