

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.

DEREK J. FIELD, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

PET HAVEN, INC., DEFENDANT-APPELLANT.

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

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