

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

1043/21

CA 21-00008

PRESENT: SMITH, J.P., CARNI, NEMOYER, CURRAN, AND WINSLOW, JJ.

SETH O'HARROW, PLAINTIFF-RESPONDENT,

V

ORDER

CASCADES CANADA, INC., GREENPAC HOLDING, LLC,
GREENPAC MILL, LLC, NORAMPAC INDUSTRIES, INC.,
JAMESTOWN CONTAINER CORPORATION, MINIMILL
TECHNOLOGIES, INC., LAFRAMBOISE GROUP, LTD.,
DEFENDANTS-APPELLANTS,
VALMET, INC., FORMERLY KNOWN AS METSO PAPER
USA, INC., DEFENDANT-RESPONDENT,
LOTUS GROUP, USA, INC., DOING BUSINESS AS
LOTUSWORKS AND KSH SOLUTIONS, INC., DEFENDANTS.

MULHOLLAND MINION DAVEY MCNIFF AND BEYRER, WILLISTON PARK (ERIC N. BAILEY OF COUNSEL), FOR DEFENDANTS-APPELLANTS CASCADES CANADA, INC., GREENPAC HOLDING, LLC, GREENPAC MILL, LLC, NORAMPAC INDUSTRIES, INC., JAMESTOWN CONTAINER CORPORATION, AND MINIMILL TECHNOLOGIES, INC.

SMITH, SOVIK, KENDRICK & SUGNET, P.C., SYRACUSE (DANIEL R. RYAN OF COUNSEL), FOR DEFENDANT-APPELLANT LAFRAMBOISE GROUP, LTD.

CELLINO LAW, LLP, BUFFALO (GREGORY V. PAJAK OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

GIBSON, MCASKILL & CROSBY, LLP, BUFFALO (ROBERT G. SCUMACI OF COUNSEL), FOR DEFENDANT-RESPONDENT.

HURWITZ & FINE, P.C., BUFFALO (STEVEN PEIPER OF COUNSEL), FOR DEFENDANT KSH SOLUTIONS, INC.

LAW OFFICES OF DESTIN C. SANTACROSE, BUFFALO (RICHARD S. POVEROMO OF COUNSEL), FOR DEFENDANT LOTUS GROUP, USA, INC., DOING BUSINESS AS LOTUSWORKS.

Appeals from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered December 1, 2020. The order denied in part the motion of defendants Cascades Canada, Inc., Greenpac Holding, LLC, Greenpac Mill, LLC, Norampac Industries, Inc., Jamestown Container Corporation, and Minimill Technologies, Inc. and the cross motion of defendant Laframboise Group, Ltd., for summary judgment.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on March 31, 2022,

It is hereby ORDERED that said appeals are dismissed without costs upon stipulation.

All concur except CARNI, J., who is not participating.

Entered: April 22, 2022

Ann Dillon Flynn
Clerk of the Court