

[Dkt. Nos. 96 and 97]

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

H&C GLOBAL SUPPLIES SA DE CV,	:	
Plaintiff,	:	Civil Action No. 12-5035 (RMB/JS)
v.	:	MEMORANDUM ORDER
AMAZON PRODUCE NETWORK OF	:	
CALIFORNIA, LLC,	:	
Defendant.	:	

Appearances:

Thomas G. Aljian, Jr., Esquire
Aljian & Montgomery
16 Maple Drive
Colts Neck, New Jersey 07722

Sarah C. Mitchell, Esquire
Podvey Meanor
One Riverfront Plaza
Newark, New Jersey 07102
Attorneys for Plaintiff

David W. Fassett
Arseneault, Whipple, Fassett & Azzarello, LLP
560 Main Street
Chatham, New Jersey 07928
Attorney for Defendant

BUMB, UNITED STATES DISTRICT JUDGE:

This matter comes before the Court upon two motions: (1) Plaintiff's, H&C Global Supplies Sa De Cv ("H&C"), Motion for Summary Judgment [Docket No. 97]; and (2) Defendant's, Amazon

Produce Network of California, LLC ("Amazon Produce"), Motion for Summary Judgment [Docket No. 96]. Both motions are DENIED.

H&C seeks to recover for nineteen shipments of mangoes delivered to Amazon Produce on a consignment basis. Because there are genuine issues as to the quality and condition of the mangoes, summary judgment is inappropriate.

Accordingly, for these reasons,

IT IS ON THIS 8th day of JULY 2014, hereby **ORDERED** that Plaintiff's and Defendant's Motions for Summary Judgment are **DENIED**.

s/Renée Marie Bumb
RENÉE MARIE BUMB
United States District Judge