



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

QUINN KRONEN and CARA WOLFSON-KRONEN,

Plaintiffs,

**STIPULATION AND ORDER
OF SETTLEMENT AND
DISMISSAL**

-against-

THE CITY OF NEW YORK, SERGEANT WALTER,
NEW YORK CITY POLICE DEPARTMENT, and
POLICE OFFICER BOWEN, NEW YORK CITY
POLICE DEPARTMENT,

06 Civ. 1705 (DC)

Defendants.

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WHEREAS, plaintiffs Quinn Kronen and Cara Wolfson-Kronen commenced this action by filing a complaint on or about March 3, 2006, and an amended complaint on or about August 18, 2006, alleging that defendants violated their constitutional and common law rights; and

WHEREAS, defendants have denied any and all liability arising out of plaintiffs' allegations; and

WHEREAS, the parties now desire to resolve the remaining issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed with prejudice, and without costs, expenses, or fees except as provided for in paragraph "2" below.

2. The City of New York hereby agrees to pay plaintiffs Quinn Kronen and Cara Wolfson-Kronen the sum of Sixty Thousand Two Dollars (\$60,002.00) in full satisfaction of all claims, inclusive of claims for costs, expenses and attorney fees. In consideration for the

payment of this sum, plaintiffs agree to the dismissal of all claims against the City of New York, Sgt. Eileen Walter, and P.O. Tracy L. Bowen, and to release all defendants and any present or former employees or agents of the City of New York, or any agency thereof, from any and all liability, claims, or rights of action arising from and contained in the complaint in this action, including claims for costs, expenses and attorney fees.

3. Plaintiffs shall execute and deliver to defendants' attorney all documents necessary to effect this settlement, including, without limitation, General Releases signed by each of them, and Affidavits of Liens, in the form annexed hereto, based on the terms of paragraph 2 above.

4. Nothing contained herein shall be deemed to be an admission by any of the defendants that they have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or any agency thereof.

6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
March 9, 2007

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By: 

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Assistant Corporation Counsel

SO ORDERED:


Hon. Denny Chin
United States District Judge

3/13/07