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DATE FILED: 12/18/2013

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MAUROSOL FELIX, ET AL.,

Plaintiffs,

**STIPULATION OF
DISMISSAL OF CROSS
CLAIMS**

-against-

CITY OF NEW YORK, ET AL.,

13 Civ. 2941 (JMF)

Defendants.
-----x

WHEREAS, plaintiffs Maurosol Felix, Francisco Zapata, Danilo Melendez, Angel Sanchez, and Abraham Collins commenced this action by filing a complaint on or about May 2, 2013, and thereafter, on May 30, 2013, filing an amended complaint along with additional plaintiff Anthony Fearon, alleging that defendants violated their federal civil and state common law rights; and

WHEREAS, defendants City of New York, Raymond Kelly, Russell Green, John Hart, and Marc Busell served plaintiffs with Offers of Judgment pursuant to Rule 68 of the Federal Rules of Civil Procedure on November 8, 2013, and served plaintiffs Melendez, Collins, Sanchez, and Fearon with revised Rule 68 Offers of Judgment on November 15, 2013; and

WHEREAS, plaintiffs Felix and Zapata accepted the Offers of Judgment, and plaintiffs Melendez, Collins, Sanchez, and Fearon accepted the revised Offers of Judgment, on November 21, 2013, all in satisfaction of any claims that they may have had to damages, or any other form of relief, arising out of the alleged acts or omissions of defendants or any official, employee, or agent, either past or present, of the City of New York, or any agency thereof in connection with the facts and circumstances that are the subject of this action; and


WHEREAS, defendant Officers Jose Cintron, Edwin Jerez, Kevin M. Martin, and Andry Duarte filed an amended answer to the second amended complaint with cross-claims on November 25, 2013, in which they asserted four cross-claims against defendant City of New York; and

WHEREAS, defendants Cintron, Jerez, Martin and Duarte have authorized their counsel to voluntarily dismiss this matter on the terms set forth below;

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

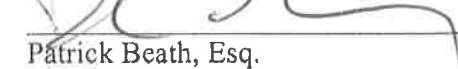
1. The cross-claims asserted against defendant City of New York are hereby dismissed pursuant to Federal Rule of Civil Procedure 41(c), with prejudice, and without costs, expenses, or attorneys' fees to any party.

WORTH, LONGWORTH & LONDON
LLP
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Martin, and Duarte*
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By: 


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MICHAEL A. CARDOZO
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City of New York
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By: 

Patrick Beath, Esq.
Assistant Corporation Counsel

SO ORDERED:



HON. JESSE M. FURMAN
UNITED STATES DISTRICT JUDGE gn

Dated: New York, New York
December 18, 2013