

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

MARTHA KIMMERLY, *et al.*,

Plaintiff,

- vs -

QUIET WOMAN FARM LLC, *et al.*,

Defendants.

**STIPULATION AND  
ORDER OF  
DISCONTINUANCE**

**09-CV-948**

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned, the attorneys of record for all the parties to the above-entitled action ("Action"),

**AND HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

Whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the Action,

1. The Court has jurisdiction over the subject matter of the Action and over all parties to the Action;

2. The General Release as set forth in the Settlement Agreement between Plaintiffs and Defendants, including the release of claims under the Fair Labor Standards Act, and any and all other wage-hour claims, is hereby approved and the settlement contained therein is a fair, reasonable and adequate settlement and compromise of a bona fide dispute.

3. The Action is hereby dismissed with prejudice in its entirety and without attorneys' fees, costs, and expenses to any party. This Stipulation and Order may be filed without further notice with the Clerk of the Court.

**Farmworker Legal Services of New York  
c/o Worker Justice Center of New York**

**Carter, Conboy, Case, Blackmore,  
Maloney & Laird, P.C.**

By: s/ David O. Irving  
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BY: \_\_\_\_\_  
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*Attorneys for Quiet Women Farm, LLC,  
Heather Larson and Barbara Larson*

By: s/ Nathaniel K. Charny  
Nathaniel K. Charny  
Charny & Associates  
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Rhinebeck, NY 12572

Dated: \_\_\_\_\_, 2012

**NIXON PEABODY LLP**

*Attorneys for Plaintiffs*

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Dated: March 5, 2012

*Attorneys for Defendants Patrick Buchanan  
and Southern Style Sales LLC*

Dated: \_\_\_\_\_, 2012

**THOMAS F. CUNNINGHAM, Esq.**

By: \_\_\_\_\_  
Thomas Cunningham  
Office of Thomas F. Cunningham  
6 Trinity Way  
La Grangville, NY 12540

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*Attorneys for Plaintiffs*

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Heather Larson and Barbara Larson*

Dated: March 5, 2012

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*Attorneys for Defendants Patrick Buchanan  
and Southern Style Sales LLC*

Dated: February 23, 2012

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La Grangville, NY 12540

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**Farmworker Legal Services of New York  
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Dated: \_\_\_\_\_, 2012

**NIXON PEABODY LLP**

*Attorneys for Plaintiffs*

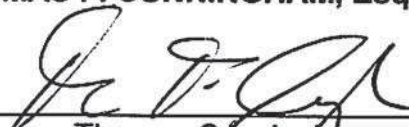
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Dated: \_\_\_\_\_, 2012

*Attorneys for Defendants Patrick Buchanan  
and Southern Style Sales LLC*

Dated: \_\_\_\_\_, 2012

**THOMAS F. CUNNINGHAM, Esq.**

By:  \_\_\_\_\_  
Thomas Cunningham  
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La Grangville, NY 12540

Attorney for Defendant Clermont Farm  
Corporation

Dated: 2/21/12, 2012

SO ORDERED:



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HON. FREDERICK J. SCULLIN, JR.

Dated: March 19, 2012