

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

INLAND WESTERN SARATOGA SPRINGS
WILTON, LLC,

Plaintiff,

vs.

No. 1:09-CV-1207
(NAM/DRH)

A.C. MOORE, INCORPORATED,

Defendant.

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APPEARANCES

OF COUNSEL

Hamilton, Watt Law Firm
480 Broadway
Suite 250
Saratoga Springs , NY 1286
Attorney for Plaintiff

Lawrence R. Hamilton, Esq.

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Blank, Rome Law Firm
405 Lexington Avenue
New York , NY 10174
Attorney for Defendant

Andrew B. Eckstein, Esq.

JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT

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The Court has been advised by United States Magistrate Judge David R. Homer that the parties in the above-captioned case have reported to him that the case has been settled. Counsel has also advised Judge Homer that no infant or incompetent is a party to this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

ORDERED that:

1. The above-captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within thirty (30) days of the date of the filing of this order upon a showing that the settlement was not consummated;

2. The dismissal of the above-captioned case shall become **with prejudice** on the

thirty-first day after the date of the filing of this order unless any party moves to re-open this case within thirty (30) days of the date of the filing of this order upon a showing that the settlement was not consummated; and

3. The Clerk shall forthwith serve this Judgment upon the attorneys for the parties appearing in this action by electronic mail.

IT IS SO ORDERED.

Date: November 16, 2009
Syracuse, New York



Norman A. Mordue
Chief United States District Court Judge

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