

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

Broadcast Music, Inc., et al.

Plaintiffs,

vs.

Civil Action No.
1:12-CV-1360 (NAM/RFT)

McGillicuddy's Tap House Ltd. *d/b/a*
McGillicuddy's Restaurant & Tap, et al.

Defendants.

APPEARANCES:

Harris, Beach Law Firm
99 Garnsey Road
Pittsford, NY 14534
Attorney for Plaintiffs

OF COUNSEL:

Neal Louis Slifkin, Esq.

Corbally, Gartland Law Firm
35 Market Street
Poughkeepsie, NY 12601
Attorney for Defendants

William W. Frame, Esq.

Norman A. Mordue, U.S. District Judge

JUDGMENT DISMISSING ACTION
BASED UPON SETTLEMENT

Pursuant to the report of the mediator (Dkt. No. 14), this action has been settled, or is in the process of being settled. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

ORDERED, as follows:

- 1) The above captioned case is hereby **DISMISSED** in its entirety **without prejudice** to

re-opening upon the motion of any party within thirty 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 days of the date of filing of this order upon a showing that the settlement was not consummated. Upon completion of settlement, the parties are directed to exchange general releases and file a **Stipulation of Discontinuance** with the Court that must include language **“that no party hereto is an infant or incompetent”** in compliance with N.D.N.Y.L.R. 41.3; and

3) The Clerk shall serve copies of this Judgment upon counsel in this matter by electronic means.

Dated: March 18, 2013
Syracuse, New York



Honorable Norman A. Mordue
U.S. District Judge