

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

TODD D. ROSENFELD,

*Plaintiff,*

-against-

NEW YORK STATE DIVISION OF VETERANS'  
SERVICES, BENJAMIN POMERANCE, JOEL EVANS,  
JASON CHAKOT, JONATHAN FISHBEIN, MATTHEW  
GUINANE, and MICHAEL TURNER,

*Defendants.*

---

**STIPULATION OF  
DISMISSAL PURSUANT  
TO RULE 41(A)**

18-CV-1299

GTS/CFH

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys for plaintiff and defendants, parties to the above entitled-action, 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, the above-entitled action be and the same hereby is dismissed and discontinued with prejudice upon the following terms and conditions, which it is agreed are of and shall have no legal precedential value in any other case either between the parties to this case or any other parties:

1. Plaintiff discontinues this action with prejudice and without damages, costs, interest or attorney's fees, and discharges and releases defendants, including their agencies, subdivisions, employees, private contractors or assignees, of any and all claims, demands, or causes of actions, known or unknown, now existing or hereafter arising, whether presently asserted or not, which relate in any way to the subject matter of this action, and further agrees to discontinue and/or not to commence or to pursue in any court, arbitration or administrative proceeding, any litigation or

claims against the defendants and others released hereby pertaining to the underlying facts, circumstances or incidents that gave rise to the aforementioned action, or any results of the aforementioned facts, circumstances or incidents, except as specifically provided in paragraph of this settlement.

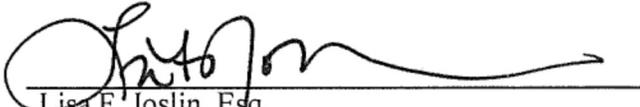
2. Defendants discharge and release plaintiff from any and all claims or causes of action for costs and fees incurred in the course of defending this action.

3. This action is hereby dismissed and discontinued with prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

4. The parties agree that no provision of this stipulation shall be interpreted to be an acknowledgment of the validity of any of the allegations or claims that have been made in the action.

5. The foregoing constitutes the entire agreement of the parties.

Dated: Albany, New York  
February 17, 2021



\_\_\_\_\_  
Lisa F. Joslin, Esq.  
Gleason Dunn Walsh & O'Shea  
Attorneys for Plaintiff  
40 Beaver Street  
Albany, NY 12207

Dated: Albany, New York  
February 17, 2021

LETITIA JAMES  
Attorney General of the State of New York  
Attorney for Defendants  
The Capitol  
Albany, New York 12224

By: s/ Christopher J. Hummel  
Christopher J. Hummel  
Assistant Attorney General, of Counsel  
Bar Roll No. 519343  
Telephone: (518) 776-2578  
Email: christopher.hummel@ag.ny.gov

Dated: Syracuse, New York  
February 17, 2021

SO ORDERED:



\_\_\_\_\_  
Hon. Glenn T. Suddaby  
Chief U.S. District Judge

Dated: February 18, 2021