

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

DOCTOR'S ASSOCIATES Inc.

Plaintiff,
Civil Action: 8:08-CV-735 (FJS/DRH)

vs.

MARILYN M. NEVERETT; JOHN R. NEVERETT

Defendants.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF

Heslin, Rothenberg Law Firm
5 Columbia Circle
Albany, New York 12203

Shanna K. Sanders, Esq.
Nicholas Mesiti, Esq.

FOR DEFENDANTS:

O'Connell, Aronowitz Law Firm
206 West Bay Plaza
Plattsburgh, New York 12901

Erin R. Mindoro, Esq.
William A. Favreau, Esq.

FREDERICK J. SCULLIN, JR.
SENIOR U.S. DISTRICT JUDGE

**JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT**


The parties have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement within 30 days, following which this action will be discontinued by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Based upon this development, it is no longer necessary for this action to remain on the court's active docket.

It is therefore hereby

ORDERED that

- 1) This action is dismissed, with prejudice, except as set forth below.
- 2) The court will retain complete jurisdiction to vacate this order and to reopen the action within two months from the date of this order upon good cause shown that the settlement has not been completed and further litigation is necessary.
- 3) The Clerk shall forthwith serve copies of this judgment upon the parties and/or their attorneys appearing in this action by electronic means.

Dated: March 30, 2012
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge