

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KETEVAN CHICHINADZE,

Plaintiff,

-v.-

BG BAR INC., ALEXANDER
DIMITROV, and TANIA DIMCHEVA,

Defendants.

18 Civ. 8069 (KPF)

ORDER OF DISCONTINUANCE

KATHERINE POLK FAILLA, District Judge:

By letter dated February 19, 2024, the parties reported to the Court that they had reached a settlement agreement in this case, and that the next step was for Defendant Dimitrov to seek the Bankruptcy Court's approval of this settlement agreement per Rule 9019 of the Federal Rules of Bankruptcy Procedure. (Dkt. #90). By email correspondence dated October 7, 2024, the parties reported that the Bankruptcy Court had approved the settlement agreement. Accordingly, it is hereby:

ORDERED that this action be conditionally discontinued without prejudice and without costs; provided, however, that within ninety (90) days of the date of this Order, the parties may submit to the Court their own Stipulation of Settlement and Dismissal for the Court to So Order. Otherwise, within such time Plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event that the settlement is not consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the parties shall be directed to

appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event that Plaintiff has not requested restoration of the case to the active calendar within such 90-day period.

The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

SO ORDERED.

Dated: October 25, 2024
New York, New York



KATHERINE POLK FAILLA
United States District Judge