

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BDG GOTHAM RESIDENTIAL, LLC, et al.,  
Plaintiffs,  
-against-  
WESTERN WATERPROOFING  
COMPANY, INC., et al.  
Defendants.

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19-CV-6386 (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

The Court having been informed that the parties have reached a settlement in principle, it is hereby ORDERED that this action is DISMISSED without costs and without prejudice to the parties' right, within thirty days of the date of this Order, (a) to submit their own Stipulation of Dismissal for the Court to so order, or (b) to reopen the case and restore it to the active calendar if the settlement has not been completed. To be clear, any application to reopen and restore must be filed **within thirty days of the date of this Order**. Late-filed applications may be denied solely on that basis.

This Order shall be deemed a **final dismissal of the action with prejudice** in the event that no contrary stipulation of dismissal is submitted, and no party requests restoration of the case to the active calendar, within such 30-day period.

All pending motions are moot. All filing deadlines and conference dates are adjourned *sine die*. The Clerk of Court is directed to close the case.

Dated: New York, New York  
March 5, 2025

**SO ORDERED.**



**BARBARA MOSES**  
United States Magistrate Judge