Mercer v. Mt. Rose Hotel Inc Doc. 18

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STACEY MERCER, Plaintiff, -v- MT. ROSE HOTEL INC, Defendant.	:	21-CV-411 (JMF) ORDER OF DISMISSAL

JESSE M. FURMAN, United States District Judge:

The Court having been advised at ECF No. 17 that all claims asserted herein have been settled in principle, it is ORDERED that the above-entitled action be and is hereby DISMISSED and discontinued without costs, and without prejudice to the right to reopen the action **within sixty days** of the date of this Order if the settlement is not consummated.

To be clear, any application to reopen **must** be filed **by the aforementioned deadline**; any application to reopen filed thereafter may be denied solely on that basis. **Further, requests to extend the deadline to reopen are unlikely to be granted.**

If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they **must** submit the settlement agreement to the Court by the deadline to reopen to be "so ordered" by the Court. Per Paragraph 4(B) of the Court's Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are canceled. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: June 3, 2021
New York, New York

JESSE M. FURMAN
United States District Judge

Dockets.Justia.com