

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRANTZ MOLEON,

Plaintiff,

-v-

FRED ALSTON, *as President of Garage Employees Local 272 affiliated International Brotherhood of Teamsters, et al.*

Defendants.

21 Civ. 1398 (PAE)

ORDER OF
DISCONTINUANCE

PAUL A. ENGELMAYER, District Judge:

The Court having been advised at Dkt. 89 that all claims as between plaintiff and defendants Fred Alston in his capacity as President of Garage Employees Local 272, have been settled in principle, it is ORDERED that the above-entitled action is hereby dismissed and discontinued without costs, and without prejudice to plaintiff's right to reopen the action within 30 days of the date of this Order if the settlement is not consummated.

To be clear, any application to reopen must be filed within 30 days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, 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 within the same 30-day period to be "so ordered" by the Court. Per Paragraph 4(C) 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.

No defendants remain in this action. The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Paul A. Engelmayer

PAUL A. ENGELMAYER
United States District Judge

Dated: January 10, 2022
New York, New York