

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BREAKING MEDIA, INC.,

Petitioner,

-v.-

EVAN P. JOWERS,

Respondent.

21 Misc. 194 (KPF)

ORDER OF DISCONTINUANCE

KATHERINE POLK FAILLA, District Judge:

By letter dated August 11, 2021, the parties reported to the Court that they have reached a resolution in principle in this case. (Dkt. #45).

Accordingly, it is hereby:

ORDERED that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty (30) 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 Respondent may apply by letter for restoration of its notice of appeal in the event that the settlement is not consummated. Upon such application for reinstatement, the Court shall promptly reinstate the notice of appeal. 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 30-day period.

To the extent not already done, the Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

SO ORDERED.

Dated: August 12, 2021
New York, New York

A handwritten signature in blue ink that reads "Katherine Polk Faila". The signature is written in a cursive style with a large initial 'K'.

KATHERINE POLK FAILLA
United States District Judge