UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FELIX CASTRO, on behalf of himself and all others similarly situated,	:	
Plaintiff,	:	23-CV-6541(VEC)
-against-	:	ORDER
SOUTH TEXAS TACK, LLC,	:	
Defendant.	:	

VALERIE CAPRONI, United States District Judge:

WHEREAS on November 9, 2023 (Dkt. 7), the parties notified the Court that they have reached an agreement in principle resolving all issues; and

IT IS HEREBY ORDERED that all previously scheduled conferences and other deadlines are CANCELLED.

IT IS FURTHER ORDERED that this case is DISMISSED with prejudice and without costs (including attorneys' fees) to either party. The Clerk of Court is respectfully directed to terminate all open motions and to CLOSE the case.

Within **30 days** of this order, the parties may apply to reopen this case. Any such application must show good cause for holding the case open in light of the parties' settlement and must be filed within **30 days**. Any request filed after 30 days or without a showing of good cause may be denied solely on that basis.

Additionally, if the parties wish for the Court to retain jurisdiction to enforce their settlement agreement, they must submit **within the same 30-day period**: (1) their settlement agreement to the Court in accordance with Rule 7.A of the Court's Individual Practices and (2) a

request that the Court issue an order expressly retaining jurisdiction to enforce the settlement agreement. *See Hendrickson v. United States*, 791 F.3d 354 (2d Cir. 2015).

IT IS FURTHER ORDERED that the Clerk of Court is respectfully directed to amend the case caption by deleting the language "individually and on behalf of all others similarly situated" after the individual Plaintiff's name. Because the parties did not notify the Court that they intended to comply with Fed. R. Civ. P. 23(e), this dismissal and any settlement between the parties is operative only as between the individual Plaintiff and Defendant and does not bind any absent putative class members.

SO ORDERED.

Date: November 13, 2023
New York, NY

VALERIE CAPRONI
United States District Judge