

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHN MASULLO,

Plaintiff,

- against -

COSTCO WHOLESALE CORPORATION,

Defendant,

and Third Party Action.

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Román, D.J.:

On September 8, 2021, the parties attended a settlement conference before Magistrate Judge Krause. (ECF No. 75.) The minute entry for this conference notes that this matter is now settled in principal. Therefore, it is

ORDERED, that the above-entitled action be and hereby is discontinued, without costs to either party, subject to reopening should the settlement not be consummated within forty-five (45) days of the date hereof. The status conference set before Judge Román on September 9, 2021 at 10AM is cancelled.

The parties are advised that if they wish the Court to retain jurisdiction in this matter for purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the next 45 days with a request that the agreement be “so ordered” by the Court.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 09/08/2021

**ORDER**

20 Civ. 4454 (NSR)

Third-Party Defendants' Motion to Dismiss is denied as moot. The Clerk of the Court is kindly directed to terminate the motion at ECF No. 52.

SO ORDERED.

Dated: White Plains, New York  
September 8, 2021

A handwritten signature in black ink, appearing to read "Nelson S. Román", written over a horizontal line.

Nelson S. Román, U.S.D.J.