

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----	X	
RIGOBERTO BENITEZ,	:	09-cv-5174 (KAM)(MDG)
	:	
Plaintiff,	:	
	:	<b>STIPULATION OF DISMISSAL</b>
- against -	:	
	:	
TOWN SPORTS INTERNATIONAL, LLC,	:	
	:	
Defendant.	:	
-----	X	

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, on behalf of their respective clients, that whereas no party is an infant, incompetent for whom a committee has been appointed or conservatee, and no person not a party has an interest in the subject matter of the action, the above-entitled action, including any and all rights of appeal related thereto, be and hereby is dismissed as against all parties with prejudice and without court ordered costs or attorneys' fees to any party as against the other.

This Stipulation may be executed by faxed counterparts and the facsimile copy of this Stipulation may be filed with the Court in lieu of the original. This Stipulation, once fully executed, may be filed without further notice with the Clerk of the Court.



Dated: New York, New York  
May 28, 2010

DAVID ABRAMS, ATTORNEY AT LAW

By: David N. Abrams DA-8126  
David Abrams

(dnabrams@gmail.com)  
299 Broadway, Suite 1700  
New York, New York 10007  
(212) 897-5821  
*Attorney for Plaintiff*

BRYAN CAVE LLP

By: Zachary Hummel  
Zachary Hummel

(zahummel@bryancave.com)  
1290 Avenue of the Americas  
New York, New York 10101  
(212) 541-2000  
*Attorneys for Defendant*

So Ordered:

\_\_\_\_\_  
Marilyn D. Go, U.S.M.J