

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
Heriberto Borrero,

Plaintiff,

**STIPULATION AND
ORDER OF DISMISSAL**

-against-

13 CV 3344 (RJD) (JO)

The City of New York; Pinyo Saitep, in his individual
capacity; Joseph Warnersbach, in his individual capacity; Ian
McCabe, in his individual capacity; Samuel Perez, in his
individual capacity,

Defendants.
----- X

WHEREAS, the undersigned parties have reached a settlement agreement and
now desire to resolve the remaining issues raised in this litigation, without further proceedings
and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
and between the undersigned, that

1. The above-referenced action is hereby dismissed as to all of the above-
named defendants, with prejudice, in its entirety; and

[THE REST OF THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK]

2. Notwithstanding the dismissal of this action in accordance with this agreement, the District Court shall continue to maintain jurisdiction over this action for the purpose of enforcing the terms of the settlement agreement reached between the parties and set forth in the Stipulation of Settlement executed by the parties in this matter.

Dated: New York, New York

2-6, 2014

Darius Wadia, LLC
Attorneys for Plaintiff
233 Broadway, Suite 2208
New York, NY 10279

By: _____

Darius Wadia
Attorney for Plaintiff

ZACHARY W. CARTER
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street
New York, New York 10007

By: _____


Randall M. Elfenbein
Special Assistant Corporation Counsel

SO ORDERED:

HON. RAYMOND J. DEARIE
UNITED STATES DISTRICT JUDGE