

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ERIKA L. TANNER,

Plaintiff,

-against-

THE JAMAICA HOSPITAL and DAVID McJOLLY,

Defendants.

STIPULATION AND
ORDER OF
VOLUNTARY DISMISSAL

CV 96-4283 (EHN)

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IT IS HEREBY ORDERED AND AGREED, by and between the parties through their duly authorized attorneys of record, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee, and no person not a party has an interest in the subject matter of this action, the above-captioned action be and the same hereby is discontinued, settled and ended with prejudice and on the merits, without costs to either party as against the other.

IT IS FURTHER expressly acknowledged, understood and stipulated that ERIKA L. TANNER, shall keep the terms and conditions of this Stipulation confidential, except that she may discuss this Stipulation with her spouse, her attorney, her accountant and members of her immediate family; provided, in all cases each such person agrees to keep the information confidential and not to disclose it to others. Nothing in this Paragraph shall prevent ERIKA L. TANNER from complying with any subpoena or court order.

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Any breach of this agreement and violation of this Order may result in a finding that the breaching party is in contempt of Court and may also be found to be liable to the defendants in a civil action for monetary damages.

Dated: June 20, 1997

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SO ORDERED THIS 24 day of June, 1997

Eugene H. Nickerson
HONORABLE EUGENE H. NICKERSON