

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is made this ____ day of September 2012, by the plaintiffs, George Mueller residing at 117 Kelly Rd, Carmel, NY 10512 and Vincent Maraldo, residing at 9 Roschelm, Mt Kisco, NY 10549 (the "plaintiffs").

WITNESSED

WHEREAS, the plaintiffs brought an action in the Supreme Court of the State of New York, County of Westchester, bearing the caption, George Mueller and Vincent Maraldo v. Joseph Russo, Index. No. 53524/11 (the "action"), alleging, among other things, infliction of emotional distress.

WHEREAS, Joseph Russo (the "defendant"), personally and as the Harbor Master of the Village of Mamaroneck, denied all of the allegations asserted in the pleadings;

WHEREAS, the plaintiffs have agreed to discontinue the action with prejudice as against Joseph Russo;

WHEREAS, by this Agreement, the plaintiffs, defendant and the Village of Mamaroneck intend to formalize an agreement;

WHEREAS, by this Agreement, the plaintiffs intend to entirely resolve and terminate all claims as alleged by the plaintiffs in the action as well as any claim now existing as against the defendant as well as the Village of Mamaroneck;

WHEREAS, the plaintiffs, intending to be legally bound, agree as follows:

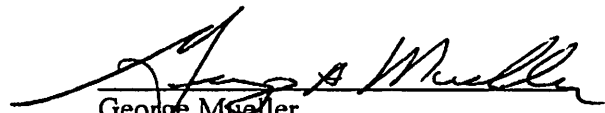
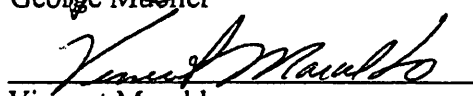
TERMS

1. Upon the signing of this agreement plaintiffs will cause their counsel to execute a Stipulation of Discontinuance with prejudice relative to all claims asserted in the action, a copy of which is attached hereto as **Exhibit "A"**.

2. Upon the signing of this agreement, plaintiffs hereby waive and agree to terminate all claims as alleged by the plaintiffs in the action, as well as any claim now existing against the defendant, Joseph Russo as well as the Village of Mamaroneck.


2. Upon the signing of this agreement, plaintiffs hereby waive and agree to terminate all claims as alleged by the plaintiffs in the action, as well as any claim now existing against the defendant, Joseph Russo as well as the Village of Mamaroneck.

IN WITNESS WHEREOF, the Plaintiffs have executed this Agreement on this ____ day of September, 2012.


George Mueller

Vincent Maraldo

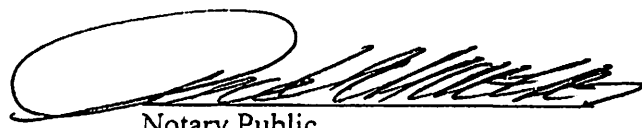
STATE OF NEW YORK)
) ss.:
COUNTY OF)

On the 17 day of September, 2012 before me personally came, George Mueller, to me known, and known to me to be the same person described herein and who executed the foregoing consent and acknowledged to me that he executed the same.


Notary Public
ANNE R. MUELLER
NOTARY PUBLIC, State Of New York
No. 4875613
Qualified In Westchester County
Commission Expires Oct 14, 2014

STATE OF NEW YORK)
) ss.:
COUNTY OF)

On the 17 day of September, 2012 before me personally came, Vincent Maraldo, to me known, and known to me to be the same person described herein and who executed the foregoing consent and acknowledged to me that he executed the same.


Notary Public
ANNE R. MUELLER
NOTARY PUBLIC, State Of New York
No. 4875613
Qualified In Westchester County
Commission Expires Oct 14, 2014

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
GEORGE MUELLER AND VINCENT MARALDO

Index No.53524/11

Plaintiffs

-against-

**STIPULATION
DISCONTINUING ACTION**

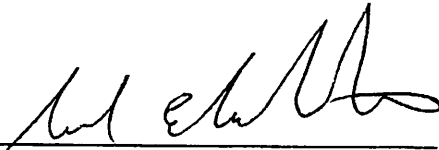
JOSEPH RUSSO

Defendant.

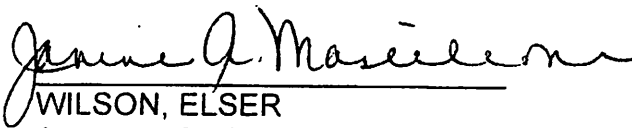
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IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued, with prejudice, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: Mamaroneck, New York
September 2012



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NYSCEF - Westchester County Supreme Court Confirmation Notice

This is an automated response for Supreme Court / Court of Claims cases. The NYSCEF site has received your electronically filed document(s) for:

GEORGE MUELLER et al - v. - JOSEPH RUSSO

53524/2011

Documents Received

Doc #	Document Type	Motion #	Date Received
16	STIPULATION OF DISCONTINUANCE (PRE RJI)		10/01/2012 10:27 AM

Filing User

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E-mail Notifications

An e-mail notification regarding this filing has been sent to the following address(es) on 10/01/2012 10:27 AM:

LICHTENSTEIN, SANDE E - slawoffice@aol.com

MASTELLONE, JANINE A - janine.mastellone@wilsonelser.com

NOTE: If submitting a working copy of this filing to the court, you must include as a notification page firmly affixed thereto a copy of this Confirmation Notice.

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