

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/18/14

NUTRITION 21, LLC and
JDS THERAPEUTICS, LLC,

Plaintiffs,

v.

SUPERNUTRITION LIFE-EXTENSION
RESEARCH, INC.,

Defendant.

Civil Action No.: 14-cv-02884

ECF Case

STIPULATION OF DISMISSAL WITH PREJUDICE

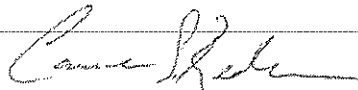
WHEREAS, Plaintiff Nutrition 21, LLC and JDS Therapeutics, LLC ("Plaintiffs"), have brought suit against SuperNutrition ("Defendant");

WHEREAS, Plaintiffs and Defendant have entered into a Settlement Agreement resolving all issues between them in this suit;

WHEREAS, Plaintiffs and Defendant have both stipulated in the Settlement Agreement such that that this Court shall retain jurisdiction over any dispute arising out of the parties' settlement of this dispute; and

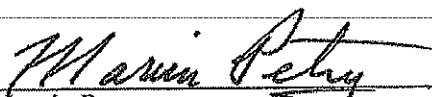
BASED UPON THE FOREGOING, IT IS HEREBY STIPULATED by and among Plaintiffs and Defendant, through their respective undersigned attorneys, that all claims and counterclaims that were or could have been brought in connection with the above-captioned action by and between Plaintiffs and Defendant are hereby **DISMISSED WITH PREJUDICE** and that the Court may enter judgment herein dismissing the above-captioned action with prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure without costs to either party and without further notice to the parties or their respective attorneys.

Respectfully submitted,



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Attorneys for Defendant

IT IS SO ORDERED, this 17th day of July, 2014:

Cathy Serbel U.S.D.J.

The Clerk shall close the case

LEASON ELLIS

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White Plains, New York 10601
t. 914.821.3075
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July 16, 2014

BY ECF and EMAIL

Cameron S. Reuber
Reuber@LeasonEllis.com

Hon. Cathy Seibel
U.S. District Court for the
Southern District of New York
300 Quarropas St.
White Plains, NY 10601-4150

RE: *JDS Therapeutics, LLC et al v. Supernutrition Life-Extension Research, Inc.*
Civil Action No. 7:14-cv-02884-CS

Dear Judge Seibel:

We are counsel for Plaintiffs in the above-referenced case. We write, pursuant to Your Honor's Individual Rules and with Defendant's consent, to inform the court that the parties have settled the case and submitted the attached Stipulation of Dismissal with the Orders and Judgments clerk in White Plains. The executed stipulation and proposed order seeks to have the Court retain jurisdiction over the settlement pursuant to Federal Rule of Civil Procedure 41(a) and the Supreme Court's decision in *Kokkonen v. Guardian Life Insurance Co. of America*, 511 U.S. 375 (1994).

WHEREFORE, the parties' respectfully request (i) execution of the proposed stipulation; (ii) entry of same into this matter's ECF record; and (iii) removal of this matter from the Court's active docket.

If you have any questions or comments concerning this request, please do not hesitate to contact us.

Respectfully submitted,



Cameron S. Reuber

Enclosure

Cc: All Counsel of Record

Note - This stip was submitted
by ECF and by email to
the Clerk. Please beware of
duplicates.

Robert

**UNITED STATES DISTRICT COURT
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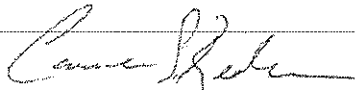
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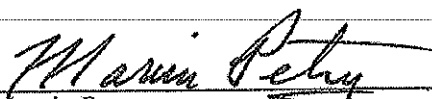
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Respectfully submitted,



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Email: mpetry@stites.com

Attorneys for Defendant

IT IS SO ORDERED, this ____ day of _____, 2014:
