

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

M. SHANKEN COMMUNICATIONS,
INC.,

Plaintiff

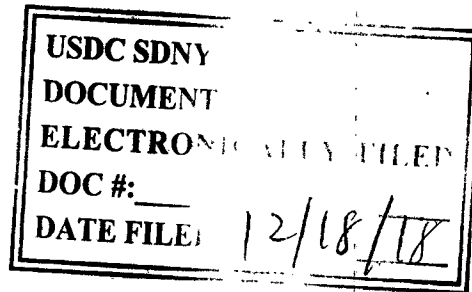
-against-

MODERN WELLNESS, INC.; CAROL
LORAIN ROCHA; and JASON LEWIS
ELDER,

Defendants.

Case No. 18-cv-08050-AKH

Hon. Alvin K. Hellerstein, U.S.D.J.



STIPULATION OF SETTLEMENT AND ORDER OF DISMISSAL

WHEREAS, M. Shanken Communications, Inc. ("Plaintiff") filed a Complaint on September 4, 2018 asserting federal and state claims for trademark infringement, unfair competition, and trademark dilution; and

WHEREAS, the parties are interested in resolving the issues alleged in the Complaint, and have negotiated in good faith for that purpose; and

WHEREAS, none of the parties to the above-captioned action is an infant or incompetent person; and

WHEREAS, the parties in the above-captioned action wish to discontinue this litigation;

IT IS HEREBY STIPULATED AND AGREED by and between the parties and/or their respective counsel as follows:

1. The parties hereby agree that the above-captioned action is dismissed and discontinued with prejudice, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

2. Any and all of the claims arising out of the above-captioned action are hereby resolved pursuant to that certain Settlement Agreement entered December 14, 2018, the terms of which shall remain confidential.
3. Each party shall bear its own costs and legal fees.
4. This Stipulation of Settlement and any Order entered thereon shall have no precedential value or effect whatsoever and shall not be admissible in any other action or proceeding as evidence or for any other purpose except in an action or proceeding to enforce this Stipulation of Settlement.

**SCULLY, SCOTT, MURPHY
& PRESSER, P.C.**

By: 

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Attorneys for Defendants

Dated: December 17, 2018

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Attorneys for Plaintiff

Dated: December 17, 2018

So Ordered:

Dated: New York, New York

18 of Dec., 2018


Hon. Alvin K. Hellerstein, U.S.D.J.