

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BERGEN ROCKLAND ERUV ASSOCIATION,
YISROEL FRIEDMAN, S. MOSHE
PINKASOVITS, SARAH BERGER, MOSES
BERGER, CHAIM BREUER, YOSEF ROSEN, and
TZVI SCHONFELD,

Plaintiffs,

v.

THE BOROUGH OF UPPER SADDLE RIVER,

Defendant.

Civ. No. 2:17-CV-05512-JMV-CLW

NOTICE OF DISMISSAL

WHEREAS, Plaintiffs Friedman and Pinkasovits filed a Complaint and Motion for a Temporary Restraining Order against Defendant, the Borough of Upper Saddle River (“Defendant”), in the above action on July 28, 2017;

WHEREAS, Plaintiffs Bergen Rockland Eruv Association, Yisroel Friedman, S. Moshe Pinkasovits, Sarah Berger, Moses Berger, Chaim Breuer, Yosef Rosen, and Tzvi Schonfeld (collectively “Plaintiffs” and together with Defendant the “Parties”) filed an Amended Complaint against Defendant in the above action on September 14, 2017 and moved for a preliminary injunction;

WHEREAS, Defendant filed a motion to dismiss in the above action on November 2, 2017;

WHEREAS, the Parties entered into a Settlement Agreement and Release, dated April 9, 2018 (Dkt. No. 54-1) (the “Settlement Agreement”), resolving all claims in this action;

WHEREAS, the Court agreed to retain jurisdiction to enforce the terms of the Settlement Agreement on April 19, 2018 (Dkt. No. 55) (the “April 19 Order”);

WHEREAS, the Settlement Agreement obligates the Plaintiffs to apply for dismissal within seven days of the issuance of the April 19 Order; and

WHEREAS, Defendant has not served either an answer or motion for summary judgment to date.

NOTICE IS HEREBY PROVIDED by Plaintiffs, through their undersigned attorneys, that Plaintiffs' Complaint against Defendant is hereby dismissed with prejudice pursuant to F.R.C.P. 41(a)(1)(A)(i), and, except where otherwise agreed to in the Settlement Agreement, with each Party to bear its own respective litigation costs and attorneys' fees; provided, however, that pursuant to the April 19 Order, the Court shall retain jurisdiction to enforce the terms of the Settlement Agreement.

Dated: New York, New York
April 20, 2018

s/ Yehudah L. Buchwitz
Yehudah L. Buchwitz
Robert G. Sugarman
David Yolcut
WEIL GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, NY 10153
(212) 310-8000
robert.sugarman@weil.com
yehudah.buchwitz@weil.com
david.yolcut@weil.com

Diane P. Sullivan
WEIL, GOTSHAL & MANGES LLP
17 Hulfish Street, Suite 201
Princeton, NJ 08542
(609) 986-1120
diane.sullivan@weil.com

Attorneys for Plaintiffs