

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

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THE CITY OF NEW YORK,

Plaintiff,

STIPULATION OF SETTLEMENT

Index No.: 14733/2015

- against -

THE LAND AND BUILDING KNOWN AS
41-06 12 STREET, *et al*,

Defendants.

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WHEREAS, the Plaintiff CITY OF NEW YORK commenced an action against the defendants THE LAND AND BUILDING KNOWN AS 41-06 12 STREET, TAX BLOCK #465, TAX LOT #1, COUNTY OF QUEENS, CITY AND STATE OF NEW YORK; NEW YORK CITY HOUSING AUTHORITY; "JOHN DOE" AND "JANE DOE", as well as other Defendants, seeking a judgment preliminarily and permanently enjoining a public nuisance in Apartment 4D located within 41-06 12 STREET, TAX BLOCK #465, TAX LOT #1, COUNTY OF QUEENS, CITY AND STATE OF NEW YORK (hereinafter the "subject premises"), closing the subject premises for a period of one (1) year from the posting of judgment; awarding Plaintiffs penalties, costs, and disbursements; and granting preliminary relief closing the subject premises and enjoining the public nuisance; and

WHEREAS, the CITY OF NEW YORK and Defendants JOHN DOE A/K/A JOSE RAMERIZ, and JANE DOE A/K/A AUSTRIA BUENO wish to reach an agreement settling the action as it pertains to them;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, attorneys of record for the parties herein, as follows:

1. The parties consent to the terms of this Stipulation in full settlement of the action and the motion as it pertains to them.

2. Defendant JOHN DOE A/K/A JOSE RAMERIZ is a tenant of the subject premises as of August 1, 2015, and consents and agrees to enter into this action and consents to the jurisdiction of this court.

3. Defendant JANE DOE A/K/A AUSTRIA BUENO is a tenant of the subject premises as of August 1, 2015, and consents and agrees to enter into this action and consents to the jurisdiction of this court.

4. In signing the instant Stipulation, Defendants JOSE RAMERIZ and AUSTRIA BUENO represent they were not the tenants of record, nor did they have any interest in the subject premises, between the period of January 23, 2015 to February 6, 2015, i.e., the time period in which the allegations contained in the complaint were allegedly committed.

5. Except to the extent set forth herein, this Stipulation shall in no way limit or diminish any rights or remedies which the City of New York may possess with respect to occurrences or conditions which may arise after execution of this Stipulation or which may have occurred prior thereto.

6. The provisions of this stipulation shall remain in effect for as long as Defendants JOSE RAMERIZ and AUSTRIA BUENO have any interest in the subject premises.

7. The undersigned shall indemnify, defend, and hold plaintiff harmless against all claims regarding personal property, furnishings and fixtures at or alleged to have been at the subject premises and all other claims which may arise pursuant to this nuisance abatement action.

8. This action is discontinued against all defendants pursuant to the terms of this

Stipulation. The parties consent to the terms of this stipulation in full settlement of the action and the instant motion as it pertains to them.

9. This Stipulation may be executed via facsimile machine and/or electronic mail and signatures transmitted thereby shall have the same force and effect as an original.

10. This Stipulation shall be effective immediately upon execution.

11. This Stipulation may be executed via facsimile machine and signatures transmitted thereby shall have the same force and effect as an original.

Dated: Queens, New York
December , 2015

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City of New York
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Jane Doe a/k/a Austria Bueno

John Doe a/k/a Jose Rameriz

Jane Doe a/k/a Austria Bueno

SO ORDERED:

J.S.C