

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CENTRAL UTA OF MONSEY, CONGREGATION YETEV LEV OF MONSEY, CHESKEL AND HENNY WERZBERGER, individually and on behalf of their minor children, M.W., G.W., and C.W., MORDECHI AND RACHEL EGER, individually and on behalf of their minor children, B.E. and G.E., ALEXANDER AND SARA SICHERMAN, individually and on behalf of their minor child, R.S., CHAIM AND CHAYA WERCBERGER, individually and on behalf of their minor child, R.W., RUBEN AND BAILA WERCZBERGER, individually and on behalf of their minor child, B.W., JOEL AND RIVKY GROSS, individually and on behalf of their minor children, M.G. and W.G., JOEL AND ESTY WERZBERGER, individually and on behalf of their minor child, T.W., HERSHEL and MALKA LANDAU, individually and on behalf of their minor child R.L., YITZCHOK LEBOVITS, YOSEF GRUBER, GITTY KASIRER, YITZHOK SCHIFF, ARON GLAUBER, and RIFKI GLAUBER,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/18/20

Plaintiffs,

-against-

ORDER
STIPULATION OF
DISCONTINUANCE WITH
PREJUDICE

VILLAGE OF AIRMONT, NEW YORK; PHILIP GIGANTE, Individually and as Mayor of the Village of Airmont; SEAN MACK, Individually and as Village Attorney; LISA-ANN DIMARSICO-SMITH, Individually and as Village Clerk and Treasurer of the Village of Airmont; VILLAGE OF AIRMONT BOARD OF TRUSTEES; PAUL MARCHESANI, ANTHONY VALVO, PETER BLUNNIE, KEVIN WARBRICK, individually and as members of the Village of Airmont Board of Trustees; VILLAGE OF AIRMONT ZONING BOARD OF APPEALS; MARTIN KIVELL, ARTHUR KATZ, CHARLES PICARELLI, LAURIE DIFRANCESCO, SCOTT MEIER, MATT RYAN, and LINDA CARBONE, individually and as members of the Village of Airmont Zoning Board of Appeals; VILLAGE OF AIRMONT PLANNING BOARD; JOHN CORNELIUS, DOUGLAS WHIPPLE, ANTHONY SANTUCCI, WILLIAM PHILIP, RUSSELL HOCK, PAVLE LECEI, KEN BREZNER, individually and as members of the Village of Airmont Planning Board; BUILDING DEPARTMENT OF THE VILLAGE OF AIRMONT; LOUIS ZUMMO, individually and as Building Inspector for the Village of Airmont; MARINO FONTANA, individually and as Code Enforcer of the Village of Airmont; SUFFERN CENTRAL SCHOOL DISTRICT; and DOUGLAS S. ADAMS, Individually and as Superintendent of Suffern Central School District;

Civil Action No.:
7:18-cv-11103-VB

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as counsel for the parties hereto, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the proceeding, the above-entitled action is hereby discontinued as against Defendant Village of Airmont Zoning Board of Appeals in its entirety, with prejudice and without costs against any party, and the following claims asserted herein are hereby discontinued, with prejudice and without costs against any party: (a) all official-capacity claims against Defendants Village Attorney, Deputy Village Attorney, Village Clerk and Treasurer, Building Inspector, Code Enforcement Officer, and the members and/or ad hoc members of the Village Board of Trustees, Zoning Board of Appeals, and Planning Board; and (b) all individual-capacity claims against Defendants Philip Gigante, Sean Mack, Daniel Kraushaar, Lisa-Ann Dimarsico-Smith, Paul Marchesani, Anthony Valvo, Peter Blunnie, Kevin Warbrick, Martin Kivell, Arthur Katz, Charles Picarelli, Laurie DiFrancesco, Scott Meier, Matt Ryan, Linda Carbone, John Cornelius, Douglas Whipple, Anthony Santucci, William Philip, Russell Hock, Pavle Lecei, Ken Brezner, Louis Zummo, and Marino Fontana. All other claims not discontinued in this stipulation remain pending and shall not be affected by this stipulation, unless otherwise stipulated by the parties.

This stipulation may be executed in counterparts and by facsimile and may be filed without further notice with the Clerk of the Court.

[signatures on following page]

Robert S. Rosborough IV

John J. Henry, Esq. (JH 7137)
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Dated: December 9, 2020

Leo Dorfman

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Dated: December 9, 2020

Karen C. Rudnicki

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Dated: December 14 2020

SO ORDERED:
Valerie J. Curtis
12/18/2020