

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NEW SENSATIONS, INC.,

Plaintiff,

v.

DOES 1 – 46,

Defendants.

Civil Action No.: 1:12-cv-10804

**Notice Of Settlement And Joint
Stipulation Of Dismissal With
Prejudice Of All Claims
Pertaining To Doe #13**


Plaintiff, New Sensations, Inc. (“New Sensations”), by and through its attorney of record, and Doe # 13 (collectively, the “Parties”), pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, hereby notify the Court that they have resolved their differences on the following terms:

1. The Parties agree to negotiate in good faith for 14 consecutive days, beginning the first day after this Court grants this Stipulation and orders Doe # 13 dismissed from the action; and,
2. If the Parties cannot agree to resolve the matter within the 14-day period § 1, either party shall have the right to initiate confidential, private arbitration to resolve the claims alleged in the Complaint and any other disputes the parties may have, including possible counterclaims.
3. The parties agree to bear their own fees and costs in this matter, but in the arbitration, the prevailing party may be awarded costs and fees, limited to \$7,500 regardless of the actual fees and costs incurred.

The Parties hereby stipulate to a voluntary dismissal, *with prejudice*, of all claims asserted against Doe # 13 in the above-captioned matter, with the court retaining

jurisdiction for the sole purpose of enforcing § 2 by compelling arbitration in the event that either party violates these terms.

WHEREFORE, the Parties request this Court enter an Order dismissing the above-captioned action filed against Doe # 13 *with prejudice*.

<p>PLAINTIFF, NEW SENSATIONS, INC. By its attorney,</p> <p></p> <hr/> <p>Marvin Cable, Esq. BBO#: 680968 LAW OFFICES OF MARVIN CABLE P.O. Box 1630 Northampton, MA 01061 P: +1 (413) 268-6500 F: +1 (413) 268-6500 E: law@marvincable.com</p>	<p>DEFENDANTDOE 13 By their attorney,</p> <p><u>/s/ Marc J. Randazza</u> Marc J. Randazza, BBO #651477 mjr@randazza.com Randazza Legal Group 6525 W. Warm Springs Road, Suite 100 Las Vegas, NV 89118 Telephone: (888) 667-1113 Fax: (305) 437-7662</p>
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IT IS SO ORDERED.

DISTRICT COURT JUDGE
Dated this ____ day of _____, 2012