

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JASON PRECHTEL,

Plaintiff,

v.

FEDERAL COMMUNICATIONS
COMMISSION, *et al.*,

Defendants.

Civil Action No. 17-1835-CRC

STIPULATION OF SETTLEMENT AND DISMISSAL

Defendants, the Federal Communications Commission (“FCC”) and the General Services Administration (“Defendants”), and Plaintiff, Jason Prechtel (“Plaintiff”) (collectively, “the Parties”), by and through their respective undersigned counsel, hereby stipulate and agree as follows:

1. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties hereby stipulate and agree that this action under the Freedom of Information Act shall be, and is hereby, dismissed with prejudice.

2. Defendant the FCC shall pay Plaintiff a lump sum in the amount of Forty-Three Thousand, Seventy-Seven Dollars and Eighty Cents (\$43,077.80) in attorneys’ fees and costs in this matter.

3. Payment of such amount will be made by an electronic transfer of funds to a bank account specified by counsel for Plaintiff. Upon filing this stipulation of settlement and dismissal, the Parties will promptly cause the information and documentation necessary to effectuate this payment to be completed and transmitted.

4. This stipulation of settlement and dismissal shall represent full and complete satisfaction of all claims arising from the allegations set forth in the pleadings filed by Plaintiff

against Defendants in this action. In particular, this joint stipulation of settlement and dismissal shall resolve all claims for attorneys' fees and costs, as well as search, review and processing fees incurred by both Plaintiff and Defendants in connection with the administrative FOIA process, the district court litigation process, and any other proceedings involving the claims raised or that could have been raised in this action.

5. This stipulation of settlement and dismissal shall not constitute an admission of liability or fault on the part of the Defendants or the United States or their agents or employees and is entered into by the Parties for the sole purpose of compromising disputed claims and avoiding the expenses and risks of further litigation.

6. This stipulation of settlement and dismissal shall be binding upon and inure to the benefit of the Parties and their respective successors and assigns.

7. The Parties agree that this stipulation of settlement and dismissal will not be used as evidence or otherwise in any pending or future civil or administrative action against Defendants or the United States, or any agency or instrumentality of the United States, other than any action to enforce the terms of this agreement.

8. Execution of this stipulation of settlement and dismissal by counsel for Plaintiff and by counsel for Defendants and filing on the Court's ECF docket shall constitute a dismissal of this action with prejudice, effective upon filing, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), except that the Parties request that the Court enter this stipulation as an order so as to retain jurisdiction for the sole purpose of enforcing this stipulation.

Counsel for Defendants is authorized to file this stipulation on behalf of Plaintiff.

Respectfully submitted this 20th day of March 2019,

LOEVY & LOEVY

/s/ Joshua Burday

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Counsel for Defendants

SO ORDERED on this ____ day of _____, 2019

The Honorable Christopher R. Cooper
UNITED STATES DISTRICT JUDGE