

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MATTHEW CARON; et al.,

Plaintiffs,

-against-

ANDREW CUOMO; et al.,

Defendants.

STIPULATION OF DISMISSAL

No. 1:13-CV-1211
(GLS/TWD)

WHEREAS Plaintiffs Matthew Caron, Matthew Gudger, Jeffrey Murray, MD, Gary Wehner, John Amidon, Nunzio Calce, Second Amendment Foundation, Inc., Long Island Firearms, LLC, S.C.O.P.E. Inc. and James Middleton, and Defendants Andrew Cuomo and Joseph D'Amico, each believe that all claims at issue in this action have been made moot by the Decision and Order of the United States District Court for the Western District of New York in *New York State Rifle and Pistol Association, Inc. v. Cuomo* (13-cv-00291, reported at 990 F. Supp. 2d 349 (2013)), as affirmed by the United States Court of Appeals for the Second Circuit (14-36-cv and 14-37-cv, reported at 804 F.3d 242 (2015)); and

WHEREAS, that no party hereto is an infant or incompetent; and

NOW THEREFORE, all parties agree to the dismissal of this action in its entirety pursuant to Federal Rule of Civil Procedure 41(a)(1) and Local Rule 41.3. Further, Plaintiffs and Defendants have agreed that each will bear separately all attorneys' fees and costs arising from the actions of their respective counsel in connection with the above-referenced matter.

Dated: April 6, 2016

ERIC T. SCHNEIDERMAN
Attorney General of the State of New York
Attorney for Defendants Andrew Cuomo and
Joseph D'Amico
The Capitol
Albany, New York 12224-0341

By: /s/ Kelly L. Munkwitz
Kelly L. Munkwitz, Esq.
Assistant Attorney General, of Counsel
Bar Roll No. 509910
Telephone: (518) 486-4603
Fax: (518) 473-1572 (Not for service of papers.)
Email: Kelly.Munkwitz@ag.ny.gov

BOUTIN & ALTIERI, PLLC
Attorneys for Plaintiffs James Middleton and
S.C.O.P.E. Inc.
P.O. Box 630
Carmel, NY 10512

By: /s/ Robert P. Firriolo
Robert P. Firriolo, Esq.
NDNY Bar Roll No. 518013
Tel: 845.306.7076
Fax: 866.585.9604

DAVID JENSEN, PLLC
Attorney for Plaintiffs Matthew Caron, Matthew
Gudger, Jeffrey Murray, MD, Gary Wehner,
John Amidon, Nunzio Calce, Second
Amendment Foundation, Inc., and Long
Island Firearms, LLC
111 John Street, Suite 420
New York, NY 10038

By: /s/ David D. Jensen
David D. Jensen, Esq.
NDNY Bar Roll No. 518218
Tel: 212.380.6615
Fax: 917.591.1318
david@djensenpllc.com