

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

Docket No. _____

**STIPULATION WITHDRAWING APPEAL FROM ACTIVE CONSIDERATION,
WITHOUT PREJUDICE, WITH LEAVE TO REACTIVATE**

The undersigned counsel for the parties hereby stipulate that the above-captioned appeal is hereby withdrawn without costs and without attorneys' fees and **without prejudice**, subject to reactivation of the appeal by appellant's counsel by written notice to the Clerk of this Court by 30 days after an event OR by (enter date certain mm/dd/yy) whichever comes first.

If not thus timely reactivated, the appeal shall be subject to dismissal.

Withdrawal of the appeal from active consideration shall not operate as a dismissal of the appeal under F.R.A.P 42(b).

The undersigned further stipulate that a signature on this document by facsimile shall be sufficient as an original.

Dated:

Attorney for Appellant

Dated:

Attorney for Appellee

Counsel: Please print name and
firm under signature