

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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POLAT KEMAL, Individually and on
behalf of all others similarly situated, as
class representative,

Case No.: 1:19-cv-05461-PAE-RWL

Plaintiff,

STIPULATION OF DISMISSAL

v.

THE HERTZ CORPORATION,

Defendant.
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The Parties to this action, by and through the undersigned counsel and pursuant to Fed. R. Civ. P. 41, hereby stipulate that the above-entitled action by Plaintiff is dismissed with prejudice, including all claims stated herein, and further state as follows:

1. In response to Defendant's Amended Suggestion of Bankruptcy and Notice of Operation of the Automatic Stay (DE 51), this Court Ordered a stay in this case on May 29, 2020. (DE 52).
2. Currently, Defendant is still in bankruptcy proceedings in the U.S. Bankruptcy Court for the District of Delaware ("Bankruptcy Court"), Case. No. 20-11218.
3. At mediation on February 19, 2021, the Parties reached an agreement to settle the claims of all Plaintiffs and opt-in Plaintiffs.
4. On March 24, 2021, the Parties executed the Settlement Agreement and Release (the "Settlement").
5. On March 26, 2021, Defendant moved in the Bankruptcy Court for an order approving the Settlement as fair, reasonable, and adequate. In Re Hertz Corp., ECF No. 3474.
6. On April 13, 2021, the Bankruptcy Court approved the Settlement. In re Hertz Corp., ECF No. 3866.

7. The Bankruptcy Court will retain exclusive jurisdiction with respect to all matters arising from or in relation to the interpretation and implementation of the Settlement.

8. Pursuant to the Settlement, the Parties stipulated to dismiss the original action in this Court.

9. Accordingly, the Parties hereby stipulate that the above-entitled action by Plaintiffs is dismissed with prejudice.

Date: May 24, 2021

Respectfully submitted,

s/ Michael Palitz

Michael Palitz
Shavitz Law Group, P.A.
800 Third Avenue, Suite 2800
New York, New York 10022
Telephone (800) 616-4000
Facsimile: (561) 335-1404
Email: mpalitz@shavitzlaw.com

Gregg Shavitz
Alan Quiles
Tamara Givens
Shavitz Law Group, P.A.
951 Yamato Road, Suite 285
Boca Raton, Florida 33431
Telephone: (561) 447-8888
Facsimile: (561) 335-1404
Email: gshavitz@shavitzlaw.com
Email: aquiles@shavitzlaw.com
Email: tgivens@shavitzlaw.com

Attorneys for Plaintiff

s/ Reed L. Russell

Reed L. Russell (*pro hac vice*)
Erin L. Malone (*pro hac vice*)
PHELPS DUNBAR LLP
100 South Ashley Drive, Suite 2000
Tampa, Florida 33602-5311
Telephone: (813) 472-7550
Facsimile: (813) 472-7570
Email: reed.russell@phelps.com
Email: erin.malone@phelps.com

and

J. Day Peake, III (*pro hac vice*)
PHELPS DUNBAR LLP
101 Dauphin Street
Suite 1000
Mobile, Alabama 33602
Telephone: (251) 432-4481
Facsimile: (251) 433-1820
Email: day.peake@phelps.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 24, 2021, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to:

Michael J. Palitz
Shavitz Law Group, P.A.
800 Third Avenue
Suite 2800
New York, New York 10022
Email: mpalitz@shavitzlaw.com

and

Gregg I. Shavitz
Alan Quiles
Tamra Givens
Shavitz Law Group, P.A.
951 Yamato Road, Suite 285
Boca Raton, Florida 33431
Email: gshavitz@shavitzlaw.com
Email: aquiles@shavitzlaw.com
Email: tgivens@shavitzlaw.com

and

Mitchell L. Feldman
Feldman Legal Group
6940 W. Linebaugh Avenue
Suite 101
Tampa, Florida 33625
Email: mlf@feldmanlegal.us

Attorneys for Plaintiff

s/ Reed L. Russell
Attorney for Defendant