

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

RICH AND LESLIE STRUZYNSKI AND  
RACHEL WULK, individual and on behalf  
of all others similarly situated,

Plaintiffs,

v.

VERIZON NEW JERSEY INC. AND  
VERIZON ONLINE LLC,

Defendants.

Civil Action No. 1:17-cv-06485

**STIPULATION**

Plaintiffs Rich and Leslie Struzynski and Rachel Wulk (collectively, "Plaintiffs") and Defendants Verizon New Jersey Inc. and Verizon Online LLC (collectively, "Defendants"), by and through their undersigned counsel, who are duly authorized to enter into this Stipulation, hereby agree to and stipulate to the following:

1. Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties consent to the dismissal of this action without prejudice to Plaintiffs' right to re-file the Complaint in the Superior Court of the State of New Jersey.

2. The re-filed Complaint will relate back to the Complaint filed on July 21, 2017 in *Struzynski v. Verizon New Jersey Inc.*, Docket No. 2903-17, Superior Court of the State of New Jersey, Law Division, Camden County (the "Initial State Court Action"), for purposes of any applicable statute of limitations or any other statutory or contractual limitation of action based upon the timeliness of the re-filing of the Complaint.

3. If Plaintiffs file a Complaint identical to the Complaint filed in the Initial State Court Action, Defendants will not remove the re-filed Complaint to Federal Court and will not

challenge Plaintiffs' re-filed Complaint on procedural grounds related to this action in Federal Court or related to this stipulated dismissal.

4. This Stipulation does not constitute an admission of any kind by either party and this Stipulation shall be inadmissible against either party for any purpose in any action.

STIPULATED AND AGREED TO:


ANAPOL WEISS



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Dated: November 9, 2017