

**MEMO ENDORSED**

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

|                             |   |                                             |
|-----------------------------|---|---------------------------------------------|
| -----                       | X |                                             |
| RAILWARE, INC.,             | : |                                             |
|                             | : | Case No.: 1:22-cv-5013 (KPF)                |
| Plaintiff,                  | : |                                             |
|                             | : | <b>STIPULATION OF DISMISSAL BY</b>          |
| -against-                   | : | <b>RAILWARE, INC. AND NATIONAL</b>          |
|                             | : | <b>RAILROAD PASSENGER</b>                   |
| NATIONAL RAILROAD PASSENGER | : | <b>CORPORATION D/B/A AMTRAK</b>             |
| CORPORATION D/B/A AMTRAK,   | : | <b>PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)</b> |
|                             | : |                                             |
| Defendant.                  | : |                                             |
| -----                       | X |                                             |

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff Railware, Inc. (“Railware”) and Defendant National Railroad Passenger Corporation d/b/a Amtrak (“Amtrak”) (Railware and Amtrak collectively, the “Parties”), through their undersigned counsel, hereby move this Court to dismiss with prejudice all pending claims and counterclaims by and between Railware and Amtrak. The Parties have reached a settlement. Railware and Amtrak will each bear their own costs, expenses, and attorneys’ fees relating to this case.

DATED: June 26, 2024

**ROBINS KAPLAN LLP**

/s/ Bryan J. Vogel

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**ATTORNEYS FOR PLAINTIFF  
RAILWARE, INC.**

*Counsel for Railware attest that they have obtained counsel for Amtrak's concurrence in the filing of this document and permission to e-sign for them.*

DATED: June 26, 2024

**VENABLE LLP**

/s/ Ralph A. Dengler

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**ATTORNEYS FOR DEFENDANT  
NATIONAL RAILROAD  
PASSENGER CORPORATION D/B/A  
AMTRAK**

Dated: June 27, 2024  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE