

RELEASE AND SETTLEMENT OF CLAIM (ATTORNEY FEES AND COSTS)


FOR THE SOLE CONSIDERATION OF THIRTY-FOUR THOUSAND NINE HUNDRED SEVENTY-ONE DOLLARS AND THIRTY-NINE CENTS (\$34,971.39) payable to American Civil Liberties Union LGBT AIDS Project, I, James Esseks, American Civil Liberties Union LGBT AIDS Project, with offices at 125 Broad Street, 18th Floor, New York, NY 10004, on behalf of myself, Chase Strangio, the American Civil Liberties Union LGBT AIDS Project, and all attorneys who provided legal services to or through the American Civil Liberties Union LGBT AIDS Project in the case in which this release and settlement of claim is executed, do hereby release, acquit and forever discharge the Governor of the State of Indiana in his official capacity, the Commissioner of the Indiana State Department of Revenue in his official capacity, the Commissioner of the Indiana State Department of Health in his official capacity, the Clerk of Allen County, Indiana in her official capacity, the Clerk of Hamilton County, Indiana in her official capacity, and all their present and former officers, agents and employees and their successors in office from all actions, causes of action, claims and demands, damages, costs, loss of services, expenses and compensation on account of or in any way growing out of any and all known and unknown attorney fees, fees, costs and expenses arising out of or accrued in the cause of action styled *Fujii, et al. v. Governor, et al.*, cause no. 1:14-cv-404-RLY-TAB. I hereby certify that I am authorized to execute this release on behalf of the parties releasing these claims for attorney fees, fees, costs and expenses.

It is expressly warranted by me that no promise or inducement has been offered except as herein set forth; that this release is executed without reliance upon any statement or representation of the parties or persons released or their representatives or attorneys, concerning the nature and extent of the injuries, damages, costs and/or legal liability therefor; that acceptance of the consideration set forth herein is in full accord and satisfaction of a disputed claim for which liability is expressly denied.

It is further warranted by me that the persons released herein do not by this settlement admit liability to me in any way, and that they continue to deny liability, but that they have entered into this settlement solely to avoid the costs and inconvenience of litigation.

I HAVE READ THIS RELEASE AND SETTLEMENT OF CLAIM CAREFULLY AND UNDERSTAND: THAT IT NOW AND FOREVER DISCHARGES ANY OBLIGATION, LIABILITY OR DUTY THE STATE OF INDIANA, ITS AGENCIES, AGENTS, OFFICERS AND EMPLOYEES MAY HAVE TOWARD ME AND TOWARD THOSE ON WHOSE BEHALF I SIGN, AS A RESULT OF THE ACCRUED ATTORNEY FEES AND COSTS IN THE AFORESAID CIVIL ACTION, THAT THE AFORESAID PARTIES ADMIT NO LIABILITY BY THIS PAYMENT AND, THAT THIS RELEASE AND SETTLEMENT IS BINDING UPON OUR HEIRS, EXECUTORS, ADMINISTRATORS, ASSIGNS AND SUCCESSORS IN INTEREST.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this Release and Settlement of Claim on the 6 day of March, 2015.

  
James Esseks  
American Civil Liberties Union LGBT AIDS Project

ACKNOWLEDGMENT OF RELEASOR

STATE OF New York )  
 ) SS:  
COUNTY OF New York )

Before me, a Notary Public in and for said County and State, personally appeared James Esseks, known to me to be the releasor described hereinabove and executed and/or acknowledged executing the foregoing instrument for the purposes therein stated on this 6<sup>th</sup> day of March, 2015.

My Commission Expires:

July 25, 2015

CHASE B. STRANGIO  
Notary Public, State of New York  
No. 02ST6245570  
Qualified in Queens County  
Commission Expires July 25, 2015

  
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Notary Public

Printed Name: Chase Strangio

County of Residence: Queens, NY