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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SHINE WILLIAMS,

Plaintiff,

v.

METRO-NORTH RAILROAD COMPANY,

Defendant.

No. 17 Civ. 3847 (JGK) (KHP)

**PLAINTIFF'S NOTICE OF ACCEPTANCE OF DEFENDANT'S  
OFFER OF JUDGMENT**

Pursuant to Rule 68(a) of the Federal Rules of Civil Procedure, Plaintiff SHINE WILLIAMS, through his undersigned counsel, hereby provides notice that he has accepted Defendants' Offer of Judgment to Plaintiff dated March 9, 2018, attached hereto as Exhibit A.

Dated: New York, New York  
March 22, 2018

Respectfully submitted,

*/s/ Kathleen Peratis*

Kathleen Peratis

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*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of March, 2018, I electronically filed the foregoing Notice of Acceptance of Defendants' Offer of Judgment with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following email address:

Eric D. Witkin, Esq.  
Littler Mendelson P.C.  
900 Third Avenue  
New York, NY 10022-3298  
[ewitkin@littler.com](mailto:ewitkin@littler.com)

Dated: New York, New York  
March 22, 2018

/s/ Kathleen Peratis  
Kathleen Peratis

# **Exhibit A**



**PLEASE TAKE FURTHER NOTICE**, that this Offer of Judgment will remain open until it expires by operation of law.

**PLEASE TAKE FURTHER NOTICE**, that this Offer of Judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability in this action by Defendant or any official, employee, or agent of Defendant, nor is it an admission that Plaintiff has suffered any damages.

**PLEASE TAKE FURTHER NOTICE**, that if a more favorable judgment against Defendant is not obtained, pursuant to Rule 68(d) of the Federal Rules of Civil Procedure, Defendant will ask the Court to deny Plaintiff any post-offer costs, including attorneys' fees, and for an award of its post-offer costs, including, but not limited to, a sum to cover costs of the services of experts in preparation for trial, costs incurred during trial, and such other costs and fees as the Court deems proper, in addition to any other rights and remedies available under the law.

**PLEASE TAKE FURTHER NOTICE**, that acceptance of this Offer of Judgment will act to release and discharge Defendant, its successors or assigns, and all past and present officials, employees, representatives, and agents of Defendant, from any and all claims that were or could have been alleged by Plaintiff arising out of the facts and circumstances that are the subject of this action.

**PLEASE TAKE FURTHER NOTICE**, that acceptance of this Offer of Judgment also will operate to waive Plaintiff's rights to any claim for interest on the amount of the judgment.

The judgment shall contain and recite the terms and conditions set forth herein.

Dated: New York, New York  
March 9, 2018

*/s/ Eric D. Witkin*

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Fax: 646-930-5654

**CERTIFICATE OF SERVICE**

I certify that on March 22, 2018, I caused a true and correct copy of the above and foregoing Notice of Acceptance of Defendants' Offer of Judgment via e-mail, with acceptance of said Offer also provided via telephonic notice to:

Eric D. Witkin, Esq.  
Littler Mendelson P.C.  
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New York, NY 10022-3298  
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Tel. (212) 497-8487

Dated: New York, New York  
March 22, 2018

  
Amy Biegelsen