

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

GRETCHEN CARLSON,

Plaintiff,

v.

ROGER AILES,

Defendant.

DOCUMENT FILED ELECTRONICALLY

Civil Action No.: 2:16-cv-04138-JLL-JAD

STIPULATION

Plaintiff Gretchen Carlson and Defendant Roger Ailes, by and through their undersigned counsel (together, the “Parties”), hereby stipulate and agree as follows:

1. Subject to the Court’s approval of this Stipulation, Mr. Ailes withdraws his motion to transfer venue to the U.S. District Court for the Southern District of New York.

2. Subject to the Court’s approval of this Stipulation, Ms. Carlson withdraws her application for a temporary restraining order and motion for a preliminary injunction enjoining Mr. Ailes from proceeding with his petition to compel arbitration in the Southern District.

3. Subject to the Court’s approval of this Stipulation, Mr. Ailes will promptly withdraw his petition to compel arbitration pending in the Southern District.

4. To the extent, if any, that this Court determines the claims in this matter are subject to arbitration, Ms. Carlson consents to proceeding before the American Arbitration Association in New York City (subject to a right to appeal, if any).

5. Mr. Ailes need not file his reply to Ms. Carlson’s opposition to his motion to transfer or stay this action on August 8, 2016, as previously scheduled. If this Court declines to So Order this Stipulation, Mr. Ailes shall file his reply within seven days of this Court’s decision not to So Order this Stipulation.

6. The parties agree to promptly file a joint request in the Southern District that the currently-scheduled time, August 9, 2016, for Ms. Carlson to file her opposition to Mr. Ailes's pending petition to compel arbitration be extended until seven days after this Court declines to So Order this Stipulation.

7. The parties request a telephone conference with the Court to set a briefing schedule on these issues.

8. Neither party waives any right of appeal that he or she may have in connection with this matter.

Dated: August 8, 2016

SMITH MULLIN, P.C.

/s/ Nancy Erika Smith

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Pro hac vice motion pending

Attorneys for Defendant Roger Ailes

SO ORDERED:

HON. JOSE L. LINARES
U.S. District Court Judge

Dated: August __, 2016