

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

In re

WESTINGHOUSE ELECTRIC COMPANY LLC,  
*et al.*,  
  
Debtors.

Chapter 11  
Case No. 17-10751 (MEW)  
(Jointly Administered)

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WESTINGHOUSE ELECTRIC COMPANY LLC,  
*as reorganized*

Plaintiff,

v.

SOUTH CAROLINA PUBLIC SERVICE  
AUTHORITY

Defendant.

Adv. Proc. No. 19-01109 (CGM)

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**JOINT STIPULATION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

The parties to the above-captioned proceeding, Plaintiff Westinghouse Electric Company LLC (“WEC”) and Defendant South Carolina Public Service Authority (“Santee Cooper”), acting through their respective counsel, and pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and 41(c), made applicable to this proceedings pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure, hereby stipulate to the following:

1. The Parties participated in formal mediations on December 13, 2019 and January 29, 2020, and continued settlement discussions throughout the end of August 2020.



2. On August 28, 2020, the Parties entered into a confidential settlement agreement.

3. Pursuant to that settlement agreement, the parties agreed to voluntarily dismiss all causes of action raised in this action including WEC's Complaint filed on April 5, 2019, Santee Cooper's Counterclaims filed on August 21, 2019, WEC's Counterclaims filed on September 20, 2019, and those claims that could have been raised by either party.

4. The Parties further agree that each party shall bear its own attorney's fees, expenses, and costs.

WHEREFORE, the Parties respectfully request that this Court issue the Proposed Order of Dismissal, attached hereto.

Dated: New York, New York  
September 21, 2020

WEIL, GOTSHAL & MANGES LLP

DEBEVOISE & PLIMPTON LLP

By: s/ Edward Soto  
Edward Soto  
Robert S. Berezin  
767 Fifth Avenue  
New York, NY 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007  
Edward.soto@weil.com  
Robert.berezin@weil.com

By: s/ Shannon Selden  
Shannon Rose Selden  
Zachary H. Saltzman  
919 Third Avenue  
New York, NY 10022  
Telephone: (212) 909-6000  
Facsimile: (212) 909-6836  
srselden@debevoise.com  
saltzmzh@debevoise.com

*Counsel for Plaintiff*

*Counsel for Defendant*

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WESTINGHOUSE ELECTRIC COMPANY LLC, <i>as reorganized</i>  Plaintiff,  v.  SOUTH CAROLINA PUBLIC SERVICE AUTHORITY  Defendant.	Adv. Proc. No. 19-01109 (CGM)

**ORDER OF DISMISSAL**

This matter coming to be heard on the Parties' Joint Stipulation of Voluntary Dismissal without Prejudice, the Court having reviewed the Stipulation, and being duly advised, it is **HEREBY**

**ORDERED THAT:**

1. The above-captioned matter is dismissed without prejudice; and
2. Each Party shall bear its own costs and attorneys' fees in connection with this action.

**IT IS SO ORDERED**

Date: September \_\_, 2020

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Chief Judge Cecelia Morris