

EXHIBIT 5

Stipulation of Discontinuance of "Free Air Law"
Page 1 of 2

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

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WILLIAM McCABE, individually and on behalf of all others similarly situated; SERVICE STATION VENDING EQUIPMENT, INC.; JAMES SATURNINO, individually and on behalf of all others similarly situated; EKAM SINGH CATTRY, individually and on behalf of all others similarly situated; GASOLINE & AUTOMOTIVE SERVICE DEALERS ASSOCIATION, LTD., individually and in a representative capacity; and LONG ISLAND GASOLINE RETAILERS ASSOCIATION, INC., individually and in a representative capacity,

Plaintiffs-Petitioners,

v.

THE TOWN OF HEMPSTEAD; ANTHONY J. SANTINO, as the Supervisor of the Town of Hempstead; DOROTHY L. GOOSBY, as a Member of the Hempstead Town Board; GARY HUDES, as a Member of the Hempstead Town Board; EDWARD A. AMBROSINO, as a Member of the Hempstead Town Board; BRUCE A. BLAKEMAN, as a Member of the Hempstead Town Board; ERIN KING SWEENEY, as a Member of the Hempstead Town Board; ANTHONY P. D'ESPOSITO, as a Member of the Hempstead Town Board; and JOHN E. ROTTKAMP, as the Commissioner of the Department of Buildings of the Town of Hempstead,

Defendants-Respondents.

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COUNSEL:

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the respective parties herein in the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action and all claims by the Plaintiffs-Petitioners as against the Defendants-Respondents, are hereby

**STIPULATION
OF DISCONTINUANCE**

Index No. 6892/2016