

1 **Thomas P. Riley, SBN 194706**
 2 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
 3 **First Library Square**
 4 **1114 Fremont Avenue**
 5 **South Pasadena, CA 91030-3227**
 6 **Tel: 626-799-9797**
 7 **Fax: 626-799-9795**
 8 **TPRLAW@att.net**

9 **Attorneys for Plaintiff**
 10 **J & J Sports Productions, Inc.**

11 **UNITED STATES DISTRICT COURT**
 12 **EASTERN DISTRICT OF CALIFORNIA**

13 **J & J Sports Productions, Inc.,**
 14
 15 **Plaintiff,**
 16
 17 **vs.**
 18 **Antonio Aceves, et al.,**
 19
 20 **Defendants.**

21 **CASE NO. CV 08-1378 LJO-DLB**
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 23 **STIPULATION OF DISMISSAL OF**
 24 **PLAINTIFF'S COMPLAINT**
 25 **AGAINST DEFENDANTS ANTONIO**
 26 **ACEVES A/K/A ANTONIO**
 27 **BARRIENTOS ACEVES and MARIA**
 28 **DOLORES ACEVES, individually and**
 29 **d/b/a CIELITO LINDO RESTAURANT**

30 **IT IS HEREBY STIPULATED** by and between Plaintiff J & J SPORTS
 31 PRODUCTIONS, INC. and Defendants ANTONIO ACEVES A/K/A ANTONIO
 32 BARRIENTOS ACEVES and MARIA DOLORES ACEVES, individually and d/b/a
 33 Cielito Lindo Restaurant, that the above-entitled action is hereby dismissed **without**
 34 **prejudice** against ANTONIO ACEVES A/K/A ANTONIO BARRIENTOS ACEVES
 35 and MARIA DOLORES ACEVES, individually and d/b/a Cielito Lindo Restaurant to the
 36 Court's jurisdiction to enforce the settlement agreement reached between the Parties.

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1 **IT IS FURTHER STIPULATED** that provided no Party referenced above has
2 filed a motion to reopen this action by January 10, 2010, this Court shall *not* have
3 jurisdiction to set aside the dismissal and the dismissal shall be deemed to be **with**
4 **prejudice.**

5 This dismissal is made pursuant to Federal Rules of Civil Procedure 41(a)(1). Each
6 Party referenced-above shall bear its own attorneys' fees and costs.
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10 Dated: January 23, 2009

s/ Thomas P. Riley

LAW OFFICES OF THOMAS P. RILEY, P.C.

By: Thomas P. Riley

Attorneys for Plaintiff

J & J SPORTS PRODUCTIONS, INC.

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15 Dated: January 26, 2009

s/ Robert Williams

PEREZ, WILLIAMS & MEDINA

By: Robert G. Williams

Attorneys for Defendants

ANTONIO ACEVES A/K/A

ANTONIO BARRIENTOS ACEVES and

MARIA DOLORES ACEVES,

individually and d/b/a

CIELITO LINDO RESTAURANT

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23 **IT IS SO ORDERED:**

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26 /s/ LAWRENCE J O'NEIL _____

Dated: February 5, 2009

The Honorable Lawrence J. O'Neill

United States District Court

Eastern District of California