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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THOMAS JOHN CARLSON,
Plaintiff,
v.
R. HANSEN, et al.,
Defendants.

Case No. 1:10-cv-00759-LJO-SKO (PC)

ORDER (1) DISMISSING ACTION
PURSUANT TO STIPULATIONS OF
VOLUNTARY DISMISSAL, WITH
PREJUDICE, (2) DIRECTING CLERK OF
COURT TO CLOSE CASE, AND (3)
RETAINING JURISDICTION TO ENFORCE
SETTLEMENT AGREEMENT PENDING
FULFILLMENT OF TERMS AND RECEIPT
OF DECLARATION ATTESTING TO
FULFILLMENT OF TERMS

(Docs. 96 and 97)

Plaintiff Thomas John Carlson, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on April 30, 2010. This action is currently proceeding on Plaintiff's third amended complaint, filed on November 6, 2013, against Defendants Worth, Newton, Rodriquez, Vega, Monroy, Angulo, Madrid, Abraham, Alvarado, Chan, and Villa.

On April 2, 2015, Plaintiff and Defendants Worth, Newton, Rodriquez, Vega, Monroy, Abraham, Alvarado, Chan, and Villa reached a monetary settlement agreement, and the settlement agreement was placed on the record by United States Magistrate Judge Kendall J. Newman, who conducted the settlement conference. The Court shall retain jurisdiction to enforce the settlement agreement until such time as Defendants' Worth, Newton, Rodriquez, Vega, Monroy, Abraham,

1 Alvarado, Chan, and Villa’s counsel files a declaration stating that the terms of the settlement have
2 been fulfilled. *Kokkonen v. Guardian Life Ins. Co.*, 511 U.S. 375, 378, 114 S.Ct. 1673 (1994);
3 *Alvarado v. Table Mountain Rancheria*, 509 F.3d 1008, 1017 (9th Cir. 2007); *Ortolf v. Silver Bar*
4 *Mines, Inc.*, 111 F.3d 85, 87-88 (9th Cir. 1997); *Hagestad v. Tragesser*, 49 F.3d 1430, 1433 (9th
5 Cir. 1995).

6 Pursuant to Judge Newman’s order, on April 20, 2015, Plaintiff and Defendants Worth,
7 Newton, Rodriquez, Vega, Monroy, Abraham, Alvarado, Chan, and Villa filed a signed stipulation
8 to voluntarily dismiss this action, with prejudice. Fed. R. Civ. P. 41(a)(1)(A)(ii). On the same
9 date, Plaintiff and the remaining two defendants, Angulo and Madrid, filed a signed stipulation to
10 voluntarily dismiss this action, with prejudice. Fed. R. Civ. P. 41(a)(1)(A)(ii).

11 According, it is HEREBY ORDERED that (1) this action is dismissed, with prejudice,
12 pursuant to the parties’ stipulation of dismissal, (2) the Clerk of the Court shall close this case, and
13 (3) the Court shall retain jurisdiction to enforce the settlement agreement until such time as
14 Defendants Worth, Newton, Rodriquez, Vega, Monroy, Abraham, Alvarado, Chan, and Villa’s
15 counsel files a declaration stating that the terms of the settlement have been fulfilled. Fed. R. Civ.
16 P. 41(a)(2).
17 IT IS SO ORDERED.

18 Dated: April 21, 2015

/s/ Lawrence J. O’Neill
UNITED STATES DISTRICT JUDGE