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6 Attorneys for Plaintiffs GARY COPPOLA, an individual; GARY COPPOLA, as SUCCESSOR
7 TRUSTEE OF THE VIOLA M. COPPOLA IRREVOCABLE TRUST; and GARY COPPOLA,
as TRUSTEE OF THE ANTHONY M. COPPOLA TRUST

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

10
11 GARY COPPOLA, an individual, GARY
12 COPPOLA, as SUCCESSOR TRUSTEE OF
THE VIOLA M. COPPOLA IRREVOCABLE
13 TRUST; and GARY COPPOLA, as TRUSTEE
OF THE ANTHONY M. COPPOLA TRUST;

14 Plaintiffs,

15 v.

16 PARAGON CLEANERS (formerly sued as
17 GREGORY SMITH, an individual); et al.

18 Defendants.

Case No.: 1:11-CV-1257-AWI-BAM

**STIPULATED REQUEST FOR DISMISSAL
REGARDING VISALIA UNIFIED
SCHOOL DISTRICT, ONLY; [PROPOSED]
ORDER**

19
20 RELATED CROSS AND COUNTER-
21 CLAIMS

22 On July 7, 2016, Plaintiffs and Defendant Visalia Unified School District filed the
23 following stipulation:

24
25 Pursuant to Federal Rules of Civil Procedure, Rule 41(a)(2) and (c), the Court's Order
26 approving the good faith settlement [Document No. 426], and the terms of the settlement, Plaintiffs
27 and counter-defendants Gary Coppola, an individual, Gary Coppola, as Successor Trustee of The
28 Viola M. Coppola Irrevocable Trust; and Gary Coppola, as Trustee of The Anthony M. Coppola

1 Trust (“Plaintiffs”) and Visalia Unified School District (“VUSD”) (collectively the “Parties”) hereby
2 stipulate and request that the Court enter an Order as set forth in the terms below.

- 3 1. Plaintiffs’ complaint in the above captioned action is hereby dismissed **with**
4 **prejudice**, including their entire action and all claims encompassed therein, against
5 VUSD, only;
- 6 2. VUSD’s counterclaim in the above captioned action is hereby dismissed **with**
7 **prejudice**, including their entire action and all claims encompassed therein, against
8 Plaintiffs;
- 9 3. Each party shall bear their own attorney’s fees and costs;
- 10 4. This Court shall retain jurisdiction over the parties for purposes of enforcing the
11 settlement agreement reached by and between Plaintiffs and VUSD; and
- 12 5. The foregoing dismissals are voluntary and shall not operate as an adjudication on the
13 merits.

14
15 Dated: July 8, 2016

GREBEN & ASSOCIATES

17 /s/ Jan A. Greben

18 Jan A. Greben
Christine M. Monroe
Attorneys for Plaintiffs and Counter Defendants
19 GARY COPPOLA, an individual; GARY
20 COPPOLA, as SUCCESSOR TRUSTEE OF
21 THE VIOLA M. COPPOLA IRREVOCABLE
22 TRUST; and GARY COPPOLA, as TRUSTEE
OF THE ANTHONY M. COPPOLA TRUST

23 Dated: July 5, 2016

NELSON & ROZIER

24 (Per authorization)

25 /s/ John L. Rozier

26 John L. Rozier
Clayton Christenson
27 Attorneys for Defendant and Counterclaimant
28 VISALIA UNIFIED SCHOOL DISTRICT

1 **ORDER**¹

2 The Parties having stipulated and agreed, and good cause appearing thereon, it is hereby
3 ORDERED:

- 4
- 5 1. Plaintiffs' complaint in the above captioned action is dismissed **with prejudice**,
6 including their entire action and all claims encompassed therein, **against VUSD,**
7 **only**;²
- 8 2. VUSD's counterclaim in the above captioned action is dismissed **with prejudice**,
9 including their entire action and all claims encompassed therein, against Plaintiffs;
- 10 3. The Clerk shall not that Visalia Unified School District has been TERMINATED
11 from this action as of July 7, 2016;
- 12 4. Each party shall bear their own attorney's fees and costs;
- 13 5. This Court shall retain jurisdiction over the parties for purposes of enforcing the
14 settlement agreement reached by and between Plaintiffs and VUSD; and
- 15 6. The foregoing dismissals are voluntary shall not operate as an adjudication on the
16 merits.

17
18 IT IS SO ORDERED.

19 Dated: July 8, 2016



20 SENIOR DISTRICT JUDGE

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27 ¹ The Court notes that in the order approving Plaintiff's and VUSD's settlement, the Court stated that once dismissal
28 papers were filed, the Court intended to dismiss both VUSD and its counterclaims from this case. See Doc. No. 426 at
p.10 n.7. No party objected or responded to that order.

² All other claims by Plaintiffs against all other defendants remain pending and open.