

1 **GREBEN & ASSOCIATES**

2 125 E. DE LA GUERRA ST., STE 203
3 SANTA BARBARA, CA 93101
4 TEL: 805-963-9090
5 FAX: 805-963-9098

6 Jan A. Greben, SBN 103464
7 jan@grebenlaw.com
8 Christine M. Monroe, SBN 304573
9 christine@grebenlaw.com

10 Attorneys for Plaintiffs and Counter Defendants GARY COPPOLA, an individual; GARY
11 COPPOLA, as SUCCESSOR TRUSTEE OF THE VIOLA M. COPPOLA IRREVOCABLE
12 TRUST; and GARY COPPOLA, as TRUSTEE OF THE ANTHONY M. COPPOLA TRUST

13 UNITED STATES DISTRICT COURT

14 EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

15 GARY COPPOLA, an individual; GARY
16 COPPOLA, as SUCCESSOR TRUSTEE OF
17 THE VIOLA M. COPPOLA IRREVOCABLE
18 TRUST; and GARY COPPOLA, as
19 TRUSTEE OF THE ANTHONY M.
20 COPPOLA TRUST;

21 Plaintiffs,

22 v.

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

25 Defendants.

Case No.: 1:11-CV-01257-AWI-BAM

**STIPULATED REQUEST FOR
DISMISSAL; [~~PROPOSED~~] ORDER**

26 RELATED CROSS AND COUNTER-
27 CLAIMS

28 Pursuant to Federal Rules of Civil Procedure, Rule 41(a)(2) and (c), and the terms of the
settlement, Plaintiffs and counter-defendants Gary Coppola, an individual, Gary Coppola, as
Successor Trustee of The Viola M. Coppola Irrevocable Trust; and Gary Coppola, as Trustee of The
Anthony M. Coppola Trust (“Plaintiffs”) and the City of Visalia (“City”) (collectively the “Parties”)
hereby stipulate and request that the Court enter an Order as set forth in the terms below, which will
resolve all remaining matters warranting the dismissal of the above-captioned action in its entirety.

1. Plaintiffs' complaint in the above captioned action is hereby dismissed **with prejudice**, including their entire action and all claims encompassed therein, against the City;
2. The City's counterclaim in the above captioned action is hereby dismissed **with prejudice**, including their entire action and all claims encompassed therein, against Plaintiffs;
3. Each party shall bear their own attorney's fees and costs; and
4. The foregoing dismissals are voluntary and shall not operate as an adjudication on the merits.

Dated: December 12, 2018

GREBEN & ASSOCIATES

/s/ Jan A. Greben

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

Dated: December 12, 2018

HERR, PEDERSEN & BERGLUND LLP

(per authorization)

/s/ Leonard C. Herr

Leonard C. Herr
Caren Curtiss
Attorneys for Defendant CITY OF VISALIA

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1 **[PROPOSED] ORDER**

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

- 4 1. Plaintiffs' complaint in the above captioned action is dismissed **with prejudice**,
5 including their entire action and all claims encompassed therein, against the City;
6 2. The City's counterclaim in the above captioned action is dismissed **with prejudice**,
7 including their entire action and all claims encompassed therein, against Plaintiffs;
8 3. Each party shall bear their own attorney's fees and costs; and
9 4. The foregoing dismissals are voluntary shall not operate as an adjudication on the
10 merits.

11 Based on the foregoing, this Order serves to dismiss the above-captioned action in its entirety.

12
13 IT IS SO ORDERED.

14 Dated: December 13, 2018


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16 SENIOR DISTRICT JUDGE