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15 Attorneys for Defendants

16 **U.S. DISTRICT COURT**  
17 **EASTERN DISTRICT OF CALIFORNIA**

18  
19 ANTONIO CAMPOS, Trustee of the ANTONIO  
20 AND JULIET CAMPOS FAMILY TRUST doing  
business as CAMPOS BROTHERS FARMS,

21 Plaintiff,

22 vs.

23 CAMPOS FAMILY FARMS, LLC, a California  
limited liability company; VERONICA  
24 CAMPOS, individually; FERMIN M. CAMPOS,  
individually and as Trustee of the FERMIN AND  
25 VERONICA CAMPOS FAMILY TRUST and the  
FERMIN M. CAMPOS ADMINISTRATIVE  
26 TRUST; and ALFREDO MARTINEZ,  
individually,

27 Defendants.  
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**Case No. 12-CV-00598-DAD-EPG**

**STIPULATION OF DISMISSAL OF  
ACTION AND REQUEST TO RETAIN  
JURISDICTION OVER SETTLEMENT**

**ORDER FOR CLERK TO CLOSE CASE**

1 IT IS HEREBY STIPULATED by and between Plaintiff, Antonio Campos, Trustee of the  
2 Antonio and Juliet Campos Family Trust, as amended and restated under instrument dated October 8,  
3 1996, doing business as Campos Brothers Farms, through his counsel of record herein, Kirin K. Virk of  
4 the law firm of Damrell, Nelson, Schrimp, Pallios, Pacher & Silva, and Michael Allan of the law firm  
5 of Steptoe & Johnson LLP, and Defendants, Campos Family Farms, LLC, a California limited liability  
6 company, Veronica Campos, individually, Fermin M. Campos, individually and as Trustee of the  
7 Fermin and Veronica Campos Family Trust, as amended and restated in 2008, and as Trustee of the  
8 Fermin M. Campos Administrative Trust and Alfredo Martinez, individually, through their counsel of  
9 record, Marshall Whitney, W.F. Docker and Timothy Buchanan of the law firm of McCormick,  
10 Barstow, Sheppard, Wayte & Carruth LLP, as follows:

11 RECITALS

12 A. Plaintiff filed this action (the “Trademark Action”) against Defendants on April 16,  
13 2012. By recommended order of June 8, 2012 and final order of June 25, 2012, the Court ordered the  
14 Trademark Action to arbitration before Justice Nickolas Dibiaso (Ret.).

15 B. Accordingly, the parties arbitrated the claims in the Trademark Action, in addition to  
16 claims and disputes related to a pending action between some of these parties and other parties in  
17 Fresno Superior Court, *Fermin Campos Farms, Inc. et al. v. Antonio Campos, et al.*, Fresno County  
18 Superior Court, Case No. 10 CECG 01292 KCK (the “Partnership Action”).

19 C. The parties to the Trademark Action and the Partnership Action entered into a full and  
20 complete settlement of their claims and disputes by way of a written and signed settlement agreement  
21 executed on July 5, 2017 (the “Settlement”).

22 D. As part of the Settlement, Plaintiff and Defendants agreed that this Court will retain  
23 jurisdiction over the Trademark Action and the parties thereto to enforce the provisions of the  
24 Settlement related to the Trademark Action.

25 NOW, THEREFORE, IT IS HEREBY STIPULATED as follows:

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STIPULATION

1. The Trademark Action shall be dismissed with prejudice.
2. The Court shall retain jurisdiction over the Trademark Action for the purpose of enforcing the Parties' related Settlement.
3. The Parties shall bear their own costs and attorney's fees in the Trademark Action.

DATED: September 7, 2017

DAMRELL, NELSON, SCHRIMP,  
PALLIOS, PACHER & SILVA

By: /s/ Kirin K. Virk  
Kirin K. Virk  
Attorneys for Plaintiff

STEPTOE & JOHNSON LLP

Michael J. Allan  
Attorneys for Plaintiff

DATED: September 7, 2017

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

By: /s/ Marshall C. Whitney  
Marshall C. Whitney  
W. F. Docker  
Timothy J. Buchanan  
Attorneys for Defendants

**ORDER**

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2 1. Pursuant to the foregoing Stipulation, the case has ended and is dismissed with prejudice. *See*  
3 Fed. R. Civ. P. 41(a)(1)(A)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997); *Concha v.*  
4 *London*, 62 F.3d 1493, 1506 (9th Cir. 1995) (“Even if the defendant has filed a motion to dismiss, the  
5 plaintiff may terminate his action voluntarily by filing a notice of dismissal under Rule 41(a)(1).”).

6 2. The Clerk of the Court is DIRECTED to close this case.

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8 3. The Court will retain jurisdiction for the purpose of permitting the parties to enforce the terms  
9 of their Settlement with respect to the Trademark Action.

10 4. The parties shall bear their own costs and attorney’s fees.

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12 IT IS SO ORDERED.

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14 Dated: September 19, 2017

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE