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

RONALD RICKS,

Plaintiff,

v.

B. ALBITRE, et al.,

Defendants.

Case No. 1:13-cv-00039-LJO-DLB (PC)

ORDER (1) DISMISSING ACTION  
PURSUANT TO STIPULATION OF  
VOLUNTARY DISMISSAL, WITH  
PREJUDICE, AND (2) RETAINING  
JURISDICTION TO ENFORCE  
SETTLEMENT AGREEMENT PENDING  
FULFILLMENT OF TERMS AND RECEIPT  
OF DECLARATION ATTESTING TO  
FULFILLMENT OF TERMS

(Doc. 51)

\_\_\_\_\_ /  
The parties to this action reached a monetary settlement agreement on June 12, 2014, and the settlement agreement was placed on the record by United States Magistrate Judge Sheila K. Oberto, who conducted the settlement conference. Defendants anticipate it will take one-hundred eighty days for the agreed upon funds to be deposited in Plaintiff’s prison trust account, although it may take place sooner or later than one-hundred eighty days.

As set forth by Judge Oberto, the Court shall retain jurisdiction to enforce the settlement agreement until such time as Defendants Cavazos, Davis, and Lozano’s counsel files a declaration stating that the terms of the settlement have been fulfilled and the agreed upon funds have been deposited in Plaintiff’s trust account. *Kokkonen v. Guardian Life Ins. Co.*, 511 U.S. 375, 378, 114 S.Ct. 1673 (1994); *Alvarado v. Table Mountain Rancheria*, 509 F.3d 1008, 1017 (9th Cir. 2007);

1 *Ortolf v. Silver Bar Mines, Inc.*, 111 F.3d 85, 87-88 (9th Cir. 1997); *Hagestad v. Tragesser*, 49  
2 F.3d 1430, 1433 (9th Cir. 1995).

3 The parties filed a signed stipulation of voluntary dismissal of this action, with prejudice,  
4 on June 17, 2014. Fed. R. Civ. P. 41(a)(1)(A)(ii).

5 According, it is HEREBY ORDERED that (1) this action is dismissed, with prejudice,  
6 pursuant to the parties' stipulation of dismissal, and (2) the Court shall retain jurisdiction to  
7 enforce the settlement agreement until such time as Defendants Cavazos, Davis, and Lozano's  
8 counsel files a declaration stating that the terms of the settlement have been fulfilled and the  
9 agreed upon funds have been deposited in Plaintiff's trust account. Fed. R. Civ. P. 41(a)(2).

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11 **SO ORDERED**  
12 **Dated: June 18, 2014**

**/s/ Lawrence J. O'Neill**  
**United States District Judge**

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