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13 Attorneys for Defendant  
14 Joyce Forest, Trustee of the Joyce Forest Inter  
15 Vivos Trust Agreement dated June 29, 1981

16 UNITED STATES DISTRICT COURT  
17 EASTERN DISTRICT OF CALIFORNIA  
18 FRESNO DIVISION

19 ALBERT GEORGE CURTIS,

20 Plaintiff,

21 vs.

22 JOYCE FOREST, Trustee of the Joyce  
23 Forest Inter Vivos Trust Agreement  
24 dated June 29, 1981; FIVE-REESE,  
25 INC., a California corporation dba  
26 SIZZLER #3576; SIZZLER USA REAL  
27 PROPERTY, INC., a Delaware  
28 corporation,

Defendants.

JOYCE FOREST, Trustee of the Joyce  
Forest Inter Vivos Trust Agreement  
dated June 29, 1981,

Cross-Claimant,

vs.

SIZZLER USA REAL PROPERTY,  
INC., a Delaware corporation; FIVE-  
REESE, INC., a California corporation,

Cross-Defendants.

No. 1:13-CV-01509-LJO-BAM

**STIPULATION FOR ORDER OF  
DISMISSAL OF CROSS-CLAIM OF  
JOYCE FOREST, TRUSTEE;**

**ORDER**

1 Defendant and cross-claimant Joyce Forest, Trustee of the Joyce Forest Inter  
2 Vivos Trust Agreement dated June 29, 1981 ("Forest"), on one hand, and defendants  
3 and cross-defendants Sizzler USA Real Property, Inc. ("Sizzler USA") and Five-  
4 Reese, Inc. ("Five-Reese"), having notified the Court of a settlement of the *Cross-*  
5 *Claim of Joyce Forest, Trustee, For Contractual Indemnity, Declaratory Relief and*  
6 *Contribution* [Docket No. 24] ("Cross-Claim"),

7 **IT IS HEREBY STIPULATED** by and among Forest, Sizzler USA and  
8 Five-Reese that, pursuant to Rule 41(a)(1)(A)(ii) and (c) of the Federal Rules of  
9 Civil Procedure and the terms of the parties' Settlement and Indemnity Agreement,  
10 the Cross-Claim be dismissed with prejudice.

11 Dated: April 4, 2014

ALLEN MATKINS LECK GAMBLE  
MALLORY & NATSIS LLP

12 By: /s/ Ivan M. Gold

13 IVAN M. GOLD

14 Attorneys for Defendant and Cross-  
15 Claimant Joyce Forest, Trustee of the  
16 Joyce Forest Inter Vivos Trust  
17 Agreement dated June 29, 1981

18 Dated: April 4, 2014

KAHN, SOARES & CONWAY LLP

19 By: /s/ Rissa A. Stuart

20 RISSA A. STUART

21 Attorneys for Defendants and Cross-  
22 Defendants Five-Reese, Inc., and  
23 Sizzler USA Real Property, Inc.

24 **ORDER**

25 The parties having so stipulated,

26 IT IS HEREBY ORDERED that the Cross-Claim of defendant and cross-  
27 claimant Joyce Forest, Trustee of the Joyce Forest Inter Vivos Trust Agreement  
28 dated June 29, 1981, be dismissed with prejudice.

**SO ORDERED**

**Dated: April 7, 2014**

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