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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

W.N., a minor, by and through his)
parents, S.N. and J.N.; and S.N.)
and J.N., individually,)

2:07-cv-00166-GEB-EFB

Plaintiffs,)

ORDER

v.)

RIPON UNIFIED SCHOOL DISTRICT;)
LEO ZUBER, Superintendent; School)
Board Members: CAMILLE TAYLOR;)
CARLA TRAVAILLE; LARRY STEWART;)
DAVID WHITHYCOMBE; FRANK FERRAL;)
CLAUDIA NEPOTE; SAN JOAQUIN COUNTY)
OFFICE OF EDUCATION; STONE SOUP)
CHILD CARE PROGRAMS; PUNKIN LEGRIS,)
Manager of the Ripon School)
District Stone Soup Program, in her)
official capacity,)

Defendants.)

On February 2, 2009, chambers received in the mail the following settlement documents which the parties request be filed under seal:¹ a "Settlement Agreement and Release of All Claims" and the documents referenced in Court docket number 76 on page 3 of 3,

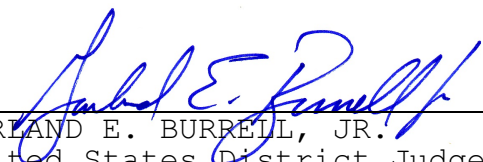
¹ The parties used the wrong action number on documents submitted; the correct action number is in the above caption.

1 which was filed on January 30, 2009. The parties request in a fully
2 executed "Memorandum of Understanding," which is one of the documents
3 they desire to file under seal (this document is virtually the same as
4 the document filed on January 23, 2009, which is docket number 69,
5 except for the inclusion of an \$185,000 approximation value for the
6 non-cash portion of the settlement), that all current dates in this
7 action be vacated. The parties also request in their "Settlement
8 Agreement and Release of All Claims" that the action be dismissed with
9 prejudice.

10 The parties' settlement is approved; therefore, this action
11 is dismissed with prejudice, and the hearing scheduled for February
12 23, 2009, is vacated.

13 The Clerk of the Court shall return the documents that
14 Plaintiffs' counsel requested be filed under seal to Plaintiffs'
15 counsel, since it is unclear why the documents need to be filed.
16 Since the parties state in the "Settlement Agreement and Release of
17 All Claims" document that the settlement agreement is "enforceable in
18 any court of competent jurisdiction," sufficient reason has not been
19 provided for the documents to be filed under seal.

20 Dated: February 4, 2009

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23 _____
GARLAND E. BURRELL, JR.
United States District Judge