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9 Attorney for Plaintiffs EDITH MINNE  
 10 and BONNIE LOHMANN

11 **UNITED STATES DISTRICT COURT**  
 12 **EASTERN DISTRICT OF CALIFORNIA**  
 13 **SACRAMENTO DIVISION**

14 EDITH MINNE and BONNIE  
 15 LOHMANN, individually and as  
 16 Trustee of The EDWARD and  
 17 BONNIE LOHMANN 2006 Family  
 18 Living Trust, and as Successor in  
 19 Interest to Edward Lohmann, deceased,

20 Plaintiffs,

21 v.

22 HUIB STROOMBERG, TRACI  
 23 SOUTHWELL, STROOMWELL  
 24 INVESTMENT GROUP, INC., and  
 25 DOES 1-100,

26 Defendants.

27 CASE No. 09-CV-00625-JAM-KJM

28 **ORDER OF DISMISSAL  
 WITHOUT PREJUDICE  
 RETAINING JURISDICTION TO  
 ENFORCE STIPULATION OF  
 PARTIES' REQUEST FOR  
 DISMISSAL**

**Hon. John A. Mendez**

29 Pursuant to F.R.C.P. Rule 41(a)(1)(A)(ii), the Notice of Dismissal Without  
 30 Prejudice filed by plaintiffs, and the Stipulation of All Parties:

31 IT IS HEREBY ORDERED:

32 1. This action is voluntarily dismissed without prejudice pursuant to  
 33 F.R.C.P. Rule 41(a)(1)(A)(ii).

34 **[PROPOSED] ORDER OF DISMISSAL WITHOUT PREJUDICE RETAINING JURISDICTION  
 TO ENFORCE STIPULATION OF PARTIES' REQUEST FOR DISMISSAL**

Case No. 09-CV-00625-JAM-KJM

1           2.       Defendants SOUTHWELL, STROOMBERG and STROOMWELL,  
2 as consideration for dismissal of this action, will perform the following, for five  
3 (5) years from the date the dismissal is entered:

4           (a)       Defendants will keep plaintiffs reasonably informed on a monthly  
5 basis in writing (which may be by e-mail) of all progress related to the projects  
6 referred to as “Cerbere” and “Ocean Star/Dominican Republic” in the pleadings;

7           (b)       Upon request, defendants will allow plaintiffs to inspect any books or  
8 records relating to any of the matters alleged in the pleadings, including the  
9 Cerbere and Ocean Star/Dominican Republic projects;

10          (c)       Defendants will cooperate with any good faith enquiries from  
11 plaintiffs about the Cerbere and/or Ocean Star/Dominican Republic project;

12          (d)       Defendants, and each of them, will keep plaintiffs informed in  
13 writing, with copies to plaintiffs’ attorney, Abraham Goldman, of any change of  
14 defendants’ business or residence address and telephone numbers, cell phone  
15 numbers and e-mail addresses;

16          (e)       Upon request, defendants will, in good faith, assist plaintiffs in any  
17 future discussions or negotiations with any other parties involved in the Cerbere  
18 and/or Ocean Star/Dominican Republic projects.

19           3.       This Dismissal of this action is without prejudice to any rights or  
20 defenses any of the parties had relating to any issues between or among them prior  
21 to the filing of this action.

22           4.       The Court retains jurisdiction over the matters set forth in this Order  
23 for five (5) years from the date the dismissal is entered, and any party may enforce  
24 this Order by procedures set forth in California Code of Civil Procedure Section  
25 664.6.  
26

27 **IT IS SO ORDERED.**

28  
[PROPOSED] ORDER OF DISMISSAL WITHOUT PREJUDICE RETAINING JURISDICTION  
TO ENFORCE STIPULATION OF PARTIES’ REQUEST FOR DISMISSAL

Case No. 09-CV-00625-JAM-KJM

1 Dated: July 20, 2009

/s/ John A. Mendez \_\_\_\_\_

2 John A. Mendez  
3 Judge of the United States District Court  
4 Eastern District of California  
5 Sacramento Division  
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**[PROPOSED] ORDER OF DISMISSAL WITHOUT PREJUDICE RETAINING JURISDICTION  
TO ENFORCE STIPULATION OF PARTIES' REQUEST FOR DISMISSAL**

Case No. 09-CV-00625-JAM-KJM