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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

Plaintiff,

v.

NAKASH ENTERPRISES, LLC, a
California Limited Liability
Company, and DOES 1-10,

Defendants.

No. CIV. S-13-1788 LKK/DAD

ORDER

The parties have filed a Stipulation for Dismissal Pursuant to F. R. Civ. P. 41(a). ECF No. 7. The stipulation asks the court to retain jurisdiction of the case after dismissal, for the purpose of "interpretation and enforcement" of the settlement agreement. The settlement agreement was not attached or filed, and the court has never seen it.

The court will not approve a stipulated dismissal that purports to grant perpetual judicial enforcement over a settlement agreement that the court has not seen or examined. See Saint John's Organic Farm v. Gem County Mosquito Abatement Dist., 574 F.3d 1054, 1059 (9th Cir. 2009) (judicially

1 enforceable agreement where court incorporates the settlement
2 into the order). Nor will the court issue an order purporting to
3 enforce a settlement agreement that is not known by the court to
4 be judicially enforceable. See Perfumebay.com Inc. v. eBay,
5 Inc., 506 F.3d 1165, 1179 (9th Cir. 2007) (some settlements, such
6 as those where the parties agree only on the goals of the
7 agreement, "'may not result in a judicially enforceable
8 agreement'"). Accordingly:

9 1. The court declines to issue the proposed order (ECF
10 No. 7-1); and

11 2. The court now orders that appropriate dispositional
12 documents disposing of the case be filed no later than forty-five
13 (45) days from the effective date of this order.

14 IT IS SO ORDERED.

15 DATED: October 21, 2013.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT