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Attorney For BYRON CHAPMAN,

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BYRON CHAPMAN,

Plaintiff,

vs.

ARCO AM/PM 6078; BP WEST COAST
PRODUCTS LLC, a Delaware Limited
Liability Company; and MADISON
AVENUE P&L ENTERPRISES, INC., a
California Corporation dba ARCO AM/PM
6078,

Defendants.

CASE NO. 2:14-CV-00315-TLN-EFB

STIPULATION OF DISMISSAL
AND ORDER THEREON

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2). Outside of the terms of the Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own costs and attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action become and hereby is dismissed with
3 prejudice pursuant to Federal Rules of Civil Procedure 41(a)(2).
4

5 This stipulation may be executed in counterparts, all of which together shall constitute
6 one original document.
7

8 Dated: May 28, 2015
9

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

10 By: /s/ Thomas E. Frankovich
11 Thomas E. Frankovich
12 Attorney for CRAIG YATES, an individual
13

14 Dated: May 29, 2015

Law Offices of Matthew V. Brady

Signature
approved
5/29/15

15 By: /s/ Matthew S. Brady
16 Matthew V. Brady, Esq
17 Attorney for Defendant MADISON AVENUE P&L
18 ENTERPRISES, INC., a California Corporation dba
19 ARCO AM/PM 6078.
20

21 Dated: May 28, 2015

ALSTON & BIRD LLP

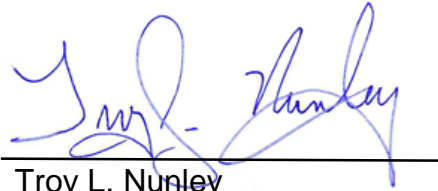
Signature
approved
5/28/15

22 By: /s/ Deborah Yoon Jones
23 Deborah Yoon Jones
24 Attorney for Defendant BP WEST COAST
25 PRODUCTS LLC, a Delaware Limited Liability
26 Company
27
28

ORDER

IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to Fed.R.Civ.P.41(a)(2). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the parties' Settlement Agreement and General Release should such enforcement be necessary.

Dated: June 2, 2015



Troy L. Nunley
United States District Judge