

THOMAS E. FRANKOVICH (State Bar #074414)
THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION
4328 Redwood Hwy, Suite 300
San Rafael, CA 94903
Telephone: 415/444-5800
Facsimile: 415/444-5805

Attorney For BYRON CHAPMAN,

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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
15

16 **Law Offices of Matthew V. Brady**

Signature
approved
5/29/15

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

21 Dated: May 28, 2015
22

23 **ALSTON & BIRD LLP**

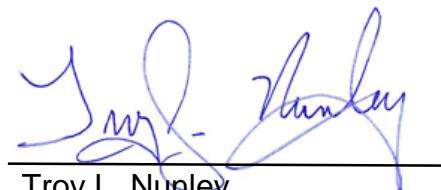
Signature
approved
5/28/15

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

1
ORDER

2
IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
3 Fed.R.Civ.P.41(a)(2). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for
4 the purpose of enforcing the parties' Settlement Agreement and General Release should such
5 enforcement be necessary.
6
7

8 Dated: June 2, 2015

9
10 
11 Troy L. Nunley
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28