

1 CHRISTOPHER J. PASSARELLI, State Bar No. 241174
 2 JOY L. DURAND, State Bar No. 245413
 3 DICKENSON, PEATMAN & FOGARTY
 4 1455 First Street, Suite 301
 5 Napa, California 94559
 6 Telephone: (707) 252-7122
 7 Facsimile: (707) 255-6876

8 Attorneys for Plaintiff
 9 CHRISTINE N. TRICE

10 DANIEL L. BAXTER, State Bare No. 203862
 11 WILKE, FLEURY, HOFFELT, GOULD & BIRNEY, LLP
 12 400 Capitol Mall, Twenty-Second Floor
 13 Sacramento, California 95814
 14 Telephone: (916) 441-2430

15 LAURA A. GENOVESE, *Pro Hac Vice*
 16 K & G LAW LLC
 17 602 S. Bethlehem Pike, Bldg. B, 2nd Fl.
 18 Ambler, Pennsylvania 19002
 19 Telephone: 267-468-7961

20 Attorneys for Defendant
 21 PRIMITIVES BY KATHY, INC.

22 UNITED STATES DISTRICT COURT
 23 EASTERN DISTRICT OF CALIFORNIA

24 CHRISTINE N. TRICE,
 25 Plaintiff,
 26 vs.
 27 PRIMITIVES BY KATHY, INC.,
 28 Defendant.

CASE NO. 17-cv-00586-TLN-CKD

**STIPULATION AND ORDER FOR
 DISMISSAL WITH PREJUDICE AND
 WITHOUT ATTORNEYS' FEES OR
 COSTS AWARDED TO ANY PARTY**

1 WHEREAS, on or about June 29, 2017, Plaintiff CHRISTINE N. TRICE (“Plaintiff”),
2 and Defendant PRIMITIVES BY KATHY, INC. (“Defendant”) (collectively, the “Parties”),
3 entered into a settlement agreement (the “Settlement Agreement”), fully and finally releasing
4 each other for any and all claims and defenses that were or could have been brought in this
5 action, upon full compliance with the terms of the Settlement Agreement;

6 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
7 counsel, and subject to the approval of the Court, that:

8 1. This action and all related claims be dismissed pursuant to Rule 41(a)(2) of the
9 Federal Rules of Civil Procedure, with prejudice and without attorneys’ fees or costs awarded
10 to any party;

11 2. The Court shall retain jurisdiction over the Parties and any others who are subject to
12 the Settlement Agreement for purposes of enforcing, interpreting, or deciding any claim of
13 breach of the Settlement Agreement.

14 IT IS SO STIPULATED.

15 Dated: June 30, 2017

DICKENSON, PEATMAN & FOGARTY

16 By /s/ Christopher J. Passarelli
17 Christopher J. Passarelli
18 Joy L. Durand

19 Attorneys for Plaintiff,
20 Christine N. Trice

21 Dated: June 30, 2017

K & G LAW LLC

22 By /s/ Laura A. Genovese
23 Laura A. Genovese

24 Attorneys for Defendant,
25 Primitives by Kathy, Inc.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to the Stipulation of Plaintiff CHRISTINE N. TRICE and Defendant PRIMITIVES BY KATHY, INC. (collectively, the “Parties”), and good cause being shown thereby, it is hereby ORDERED that:

1. This action is dismissed pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, with prejudice and without attorneys’ fees or costs awarded to any party;

2. The Court shall retain jurisdiction over the Parties, and any others who are subject to the Settlement Agreement entered into between the parties to this action, for the purposes of enforcing, interpreting, or deciding any claim of breach of the Settlement Agreement.

IT IS SO ORDERED.

Dated: July 5, 2017



Troy L. Nunley
United States District Judge