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5 Attorneys for Plaintiffs CRAIG YATES
 and DISABILITY RIGHTS ENFORCEMENT,
 6 EDUCATION SERVICES

7 UNITED STATES DISTRICT COURT
 8
 9 NORTHERN DISTRICT OF CALIFORNIA

10 CRAIG YATES, an individual; and
 11 DISABILITY RIGHTS, ENFORCEMENT,
 EDUCATION, SERVICES: HELPING
 12 YOU HELP OTHERS, a California public
 benefit corporation,

13 Plaintiffs,

14 v.

15 FOSTER FREEZE BERKELEY; SUNG C.
 16 PAK and GRACE PAK, as trustees of the
 SUNG C. PAK AND GRACE Y. PAK
 17 FAMILY TRUST; and BYUNG H. YOO,
 18 an individual dba FOSTER FREEZE #124

19 Defendants.
 20

) **CASE NO. C07-2100-JSW**
)
) **STIPULATION OF DISMISSAL AND**
) **[PROPOSED] ORDER THEREON**

21 The parties, by and through their respective counsel, stipulate to dismissal of this
 22 action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the
 23 Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own
 24 costs and attorneys’ fees. The parties further consent to and request that the Court retain
 25 jurisdiction over enforcement of the Agreement. See Kokonen v. Guardian Life Ins. Co., 511
 26 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of
 27 settlement agreements).

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

4 Respectfully submitted,

5
6 Dated: April 16, 2009

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

8 By: / S /

9 Thomas E. Frankovich
10 Attorneys for Plaintiffs CRAIG YATES and
11 DISABILITY RIGHTS ENFORCEMENT,
12 EDUCATION SERVICES

12 Dated: April 16, 2009

ANDREW K. JACOBSON,
BAY OAK LAW

14 By: Andrew K. Jacobson
15 Andrew K. Jacobson

16 Attorneys for Defendants SUNG C. PAK and
17 GRACE PAK, as trustees of the SUNG C. PAK
18 AND GRACE Y. PAK FAMILY TRUST; and
19 BYUNG H. YOO, an individual dba FOSTER
20 FREEZE #124

ORDER

21 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
22 Fed.R.Civ.P.41(a)(1). ~~IT IS FURTHER ORDERED that the Court shall retain jurisdiction for~~
23 ~~the purpose of enforcing the parties' Settlement Agreement and General Release should such~~
24 ~~enforcement be necessary.~~

25 Dated: April 20, 2009

26 Jeffrey S. White
27 HON. JEFFREY S. WHITE
28 United States District Judge