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9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION


12 SUSAN WYCKOFF, et al,	)	No. C 07-2301 SI
13 and CHARLIE EAP,	)	No. C 07-3600 SI
14 Plaintiffs,	)	(Consolidated for All Purposes)
15 v.	)	STIPULATION AND [PROPOSED]
16 UNITED STATES OF AMERICA and	)	ORDER OF DISMISSAL WITH
17 DANIEL EARL SPERL,	)	PREJUDICE
18 Defendants.	)	

19  
 20 Pursuant to Federal Rule of Civil Procedure Rule 41(a)(2) and the Stipulation for  
 21 Compromise Settlement and Release of Federal Tort Claims Act Claims Pursuant to 28 U.S.C.  
 22 Section 2677 and Order filed in this action, plaintiffs and defendants, through their attorneys of  
 23 record, hereby stipulate and agree that the above-referenced action is dismissed with prejudice in  
 24 its entirety, with each party bearing its own fees, costs, and expenses. Pursuant to Section  
 25 3612(a) of the California Probate Code, the Court shall have continuing jurisdiction of the money  
 26 paid or to be paid, delivered, deposited, or invested for the benefit of the minor, Alexander  
 27 Wyckoff, until he reaches 18 years of age. The Court shall not otherwise retain jurisdiction over  
 28 Stipulation and [Proposed] Order of Dismissal with Prejudice  
 Nos. C 07-2301 SI and C 07-3600 SI

1 this action, the settlement, or any other matter pertaining to this action or the settlement.

2  
3 JOSEPH P. RUSSONIELLO  
UNITED STATES ATTORNEY

4  
5 DATED: ~~March~~, 2010  
    *April 2,*

6 BY:   
    James A. Scharf  
    Assistant United States Attorney  
    Attorney for Defendant United States of America

7  
8 DATED: ~~March~~, 2010  
    April 2, 2010

9 CHAVEZ & GERTLER LLP

10 By:   
    Jonathan E. Gertler

11  
12 Attorneys for Plaintiffs SUSAN WYCKOFF, individually,  
13 and as Administratrix of the Estate of PETER WYCKOFF;  
14 ALEXANDER WYCKOFF by and through his Guardian  
ad Litem, SUSAN WYCKOFF

15  
16 DATED: March \_\_, 2010

DAVIS LAW OFFICES

17  
18 By: \_\_\_\_\_  
    Andrew J. Davis

19  
20 Attorneys for Plaintiffs CHARLIE EAP, heir at law of  
21 decedent Holly Annie Eap

22  
23 DATED: March \_\_, 2010

CESARI, WERNER & MORIARTY

24  
25 By: \_\_\_\_\_  
    Kristina L. Velarde

26  
27 Attorneys for Defendant DANIEL EARL SPERL

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James A. Scharf  
Assistant United States Attorney  
Attorney for Defendant United States of America

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8 DATED: March \_\_, 2010

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10 By: \_\_\_\_\_  
Jonathan Gertler

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13 and as Administratrix of the Estate of PETER WYCKOFF;  
14 ALEXANDER WYCKOFF by and through his Guardian  
ad Litem, SUSAN WYCKOFF

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16 DATED: *April 2, 2010* ~~March \_\_, 2010~~

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18 By: *Andrew J. Davis* \_\_\_\_\_  
Andrew J. Davis

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20 Attorneys for Plaintiffs CHARLIE EAP, heir at law of  
21 decedent Holly Annie Eap

22  
23 DATED: March \_\_, 2010

CESARI, WERNER & MORIARTY

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25 By: \_\_\_\_\_  
Kristina L. Velarde

26  
27 Attorneys for Defcndant DANIEL EARL SPERL

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JOSEPH P. RUSSONIELLO  
UNITED STATES ATTORNEY

DATED: March \_\_, 2010

BY: \_\_\_\_\_  
James A. Scharf  
Assistant United States Attorney  
Attorney for Defendant United States of America

DATED: March \_\_, 2010

CHAVEZ & GERTLER LLP

By: \_\_\_\_\_  
Jonathan Gertler

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and as Administratrix of the Estate of PETER WYCKOFF;  
ALEXANDER WYCKOFF by and through his Guardian  
ad Litem, SUSAN WYCKOFF

DATED: March \_\_, 2010

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By: \_\_\_\_\_  
Andrew J. Davis

Attorneys for Plaintiffs CHARLIE EAP, heir at law of  
decedent Holly Annie Eap

DATED: <sup>April 2</sup> ~~March~~ \_\_, 2010

CESARI, WERNER & MORIARTY

By:  \_\_\_\_\_  
Kristina L. Velarde

Attorneys for Defendant DANIEL EARL SPERL

Stipulation and [Proposed] Order of Dismissal with Prejudice  
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1 Pursuant to the stipulation of the parties, and good cause appearing, IT IS SO  
2 ORDERED.



3 DATED: \_\_\_\_\_

4 Hon. Susan Illston  
5 United States District Court Judge

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