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 and DISABILITY RIGHTS ENFORCEMENT,  
 6 EDUCATION SERVICES

7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA  
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10 CRAIG YATES, an individual; and )  
 DISABILITY RIGHTS ENFORCEMENT, )  
 11 EDUCATION, SERVICES: HELPING )  
 YOU HELP OTHERS, a California public )  
 12 benefit corporation, )

**CASE NO. CV-07-4395-JCS**

**STIPULATION OF DISMISSAL AND  
 [PROPOSED] ORDER THEREON**

13 Plaintiffs, )

14 v. )

15 RED’S RECOVERY ROOM, INC., a )  
 California corporation; and TOWNSEND )  
 16 CAPITAL PARTNERS, LLC )

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

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1 Dated: January 21, 2009

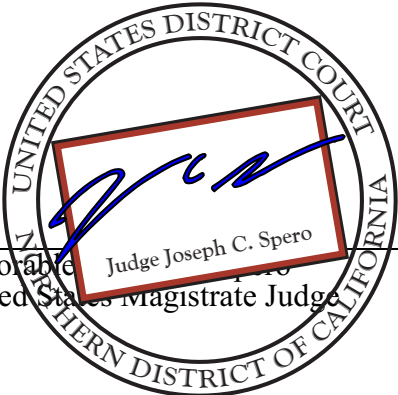
GAIL F. FLATT,  
Provencher & Flatt LLP

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3 By: \_\_\_\_\_ /S/  
4 Gail F. Flatt  
5 Attorneys for Defendant RED'S RECOVERY  
6 ROOM, INC. a California corporation

7 **ORDER**

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

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13 DATED: January 26, 2009

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Honorable Judge Joseph C. Spero  
United States Magistrate Judge