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

7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA  
 9

10 CRAIG YATES, an individual; and )  
 DISABILITY RIGHTS ENFORCEMENT, )  
 11 EDUCATION, SERVICES: HELPING )  
 YOU HELP OTHERS, a California public )  
 12 benefit corporation, )  
 )  
 13 Plaintiffs, )  
 )  
 14 v. )  
 )  
 15 KING OF THAI NOODLE #2 INC., a )  
 California corporation; LAW SZE CHING; )  
 16 and CHAN WEI YUNG )  
 )  
 17 \_\_\_\_\_ Defendants, )  
 )  
 18 \_\_\_\_\_ )

**CASE NO. CV-08-1877-WHA**  
**STIPULATION OF DISMISSAL AND**  
**[PROPOSED] ORDER THEREON**

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

27 ///  
 28 ///

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 section 41(a)(1).

4           This stipulation may be executed in counterparts, all of which together shall constitute  
5 one original document.

6  
7 Dated: December 16, 2008

THOMAS E. FRANKOVICH,  
*A PROFESSIONAL LAW CORPORATION*

8  
9 By: \_\_\_\_\_/s/  
10           Thomas E. Frankovich  
11 Attorneys for Plaintiffs CRAIG YATES and  
12           DISABILITY RIGHTS ENFORCEMENT,  
13           EDUCATION SERVICES

14  
15 Dated: December 16, 2008

JANET BRAYER,  
LAW OFFICES OF JANET BRAYER

16 By: \_\_\_\_\_/s/  
17           Janet Brayer  
18 Attorneys for Defendants KING OF THAI  
19           NOODLE #2, INC.

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1 Dated: December 16, 2008

JETHRO S. BUSCH,  
STEVEN ADAIR MAC DONALD &  
ASSOCIATES, P.C.

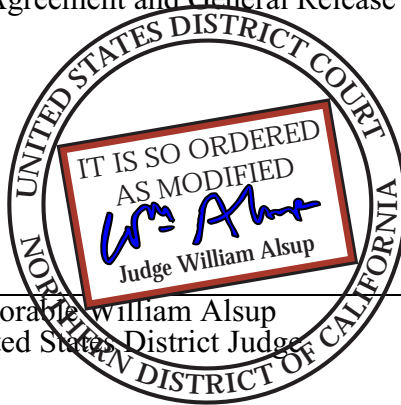
2  
3 By: \_\_\_\_\_ /s/

4 Jethro S. Busch  
5 Attorneys for Defendants SZE CHING LAW, and  
6 WEI YUNG CHAN (sued as LAW SZE CHING;  
7 and CHAN WEI YUNG)

8 **ORDER**

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

13  
14 DATED: December 17, 2008



15  
16 Honorable William Alsup  
United States District Judge

17  
18  
19  
20 The Court shall retain jurisdiction over this matter for one year only.