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California State Bar No. 138790
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Sonora, CA 95370
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Attorney for the Plaintiff, GABRIEL J. DELFRE, JR.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GABRIEL J. DELFRE, JR.,

Plaintiff,

vs.

EAST BAY REGIONAL PARK
DISTRICT (EBRPD),

Defendant

Case No. C08-02827-^{SI}~~EMC~~

STIPULATION OF THE PARTIES
AFTER SETTLEMENT, AND
[~~PROPOSED~~] ORDER

TO THE COURT, AND TO ALL OTHER INTERESTED PARTIES:

STIPULATION OF THE PARTIES AFTER SETTLEMENT

WHEREAS, the parties hereto, Plaintiff GABRIEL J. DELFRE, JR. and Defendant EAST BAY REGIONAL PARK DISTRICT (EBRPD) settled the above-captioned matter through mediation conducted on January 6, 2009, in Walnut Creek, California, and a written Mediation Agreement was executed that day by authorized representatives of both parties; and

Delfre v. East Bay Regional Park District

1 WHEREAS, a final Settlement Agreement and General Release of All Claims, was
2 drafted in accordance with the written Mediation Agreement, approved by both parties, and
3 executed by the Plaintiff, GABRIEL J. DELFRE, JR.; by his attorney, DAVID L. AXELROD; by
4 PAT O'BRIEN, General Manager of Defendant EAST BAY REGIONAL PARK DISTRICT
5 (EBRPD); and by TED C. RADOSEVICH, District Counsel of EAST BAY REGIONAL PARK
6 DISTRICT (EBRPD); and

7 WHEREAS, pursuant to both the Mediation Agreement and the Settlement
8 Agreement and General Release of All Claims, Plaintiff GABRIEL J. DELFRE, JR. duly
9 requested and caused the above-captioned civil action to be dismissed with prejudice; and

10 WHEREAS, among its various provisions, the Settlement Agreement and General
11 Release of All Claims stated in pertinent part the following: "As further consideration for
12 this release, Delfre's dismissal of the Action with prejudice, and other promises made in this
13 Agreement, the District will waive Delfre's refund of unemployment benefits per the
14 District's appeal of the Employment Development Department decision to award such
15 benefits to Delfre and stipulate accordingly as necessary." Settlement Agreement and
16 General Release of All Claims, at page 2, section 10; and

17 WHEREAS, despite the foregoing agreement, the California Employment
18 Development Department (EDD) has commenced and continued effort to collect the refund
19 of unemployment benefits from GABRIEL J. DELFRE, JR., and has expressed or implied that it
20 will cease such collection efforts only if ordered by a court to do so; and

21 WHEREAS, the undersigned parties seek, in good faith, to effectuate and realize all
22 their respective binding commitments, undertakings and obligations, as agreed;

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DAVID L. AXELROD, Attorney
87 N. Washington Street
Sonora, CA 95370

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THEREFORE, IT IS STIPULATED AND AGREED AS FOLLOWS:

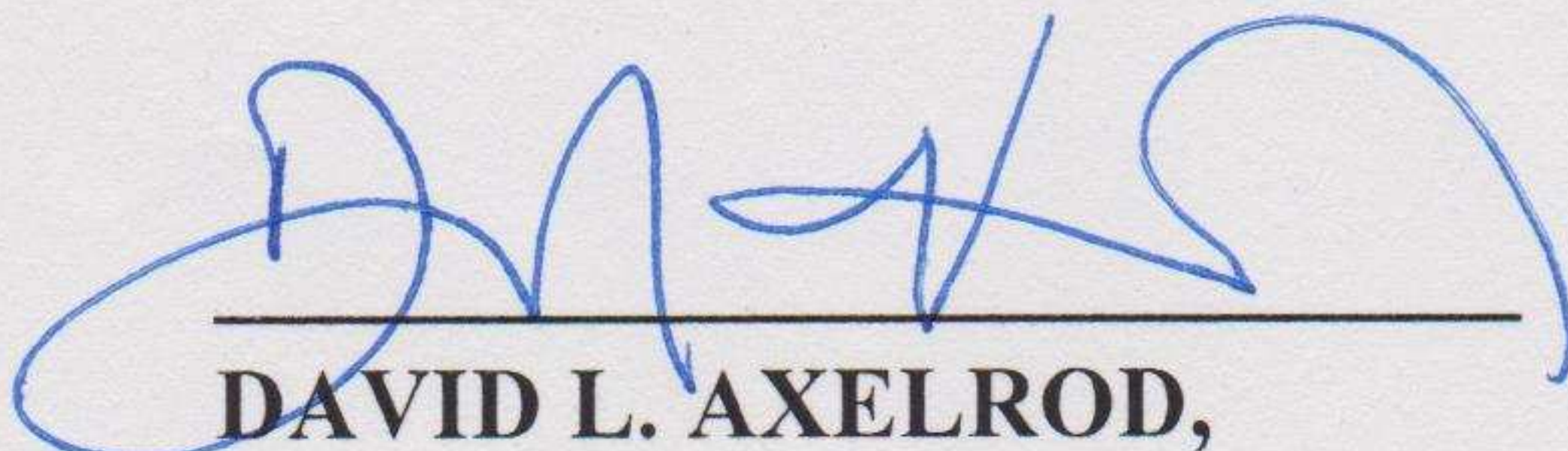
1. The EAST BAY REGIONAL PARK DISTRICT (EBRPD) hereby expressly waives the refund by GABRIEL J. DELFRE, JR., of unemployment benefits per the District's appeal of the Employment Development Department decision to award such benefits to Mr. DELFRE.

2. Accordingly, no further or continuing collection action should be undertaken by the parties hereto, or any other person or agency, to collect the refund from or on behalf of GABRIEL J. DELFRE, JR. of any unemployment benefits Mr. DELFRE had received in connection with his former employment by and for the EAST BAY REGIONAL PARK DISTRICT.

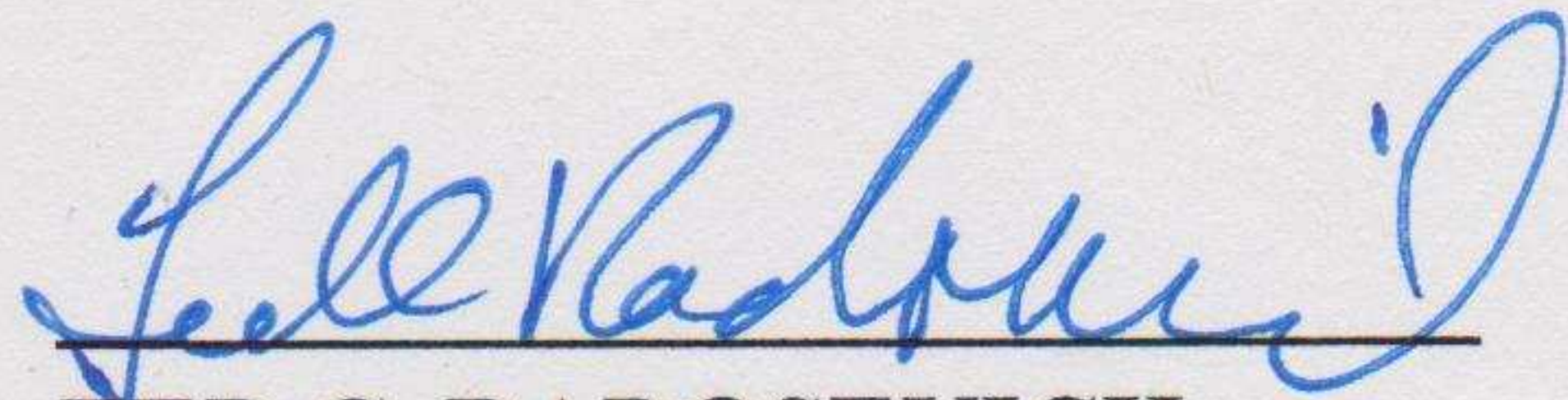
IT IS SO STIPULATED.

Dated: April 1, 2013

Dated: Mar 27, 2013



DAVID L. AXELROD,
Attorney for the Plaintiff,
GABRIEL J. DELFRE, JR.



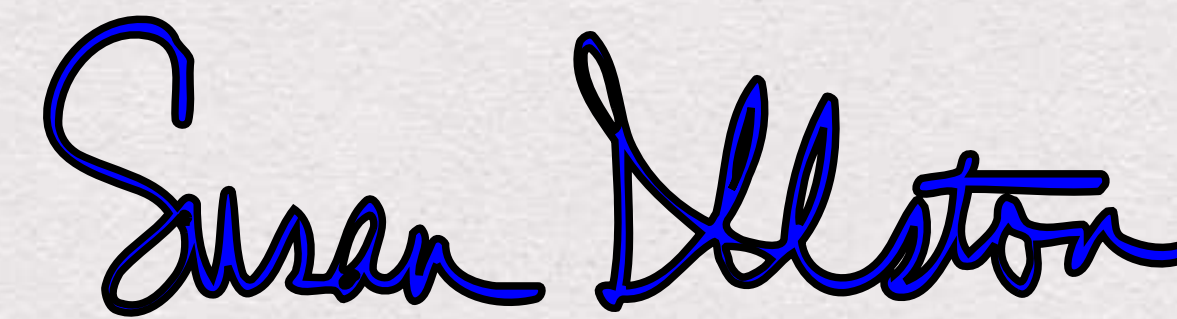
TED C. RADOSEVICH,
District Counsel for the Defendant,
EAST BAY REGIONAL PARK DISTRICT

ORDER

The foregoing Stipulation of the Parties After Settlement having been submitted to the above-entitled Court, and having been read, reviewed and considered by the Court, and good cause appearing therefor;

IT IS SO ORDERED.

DATED: 5/5/15



JUDGE OF THE U.S. DISTRICT COURT