

1 Daniel Cooper (Bar No. 153576)
 2 Samantha Williams (Bar No. 251344)
 3 LAWYERS FOR CLEAN WATER, INC.
 4 1004-A O'Reilly Avenue
 5 San Francisco, California 94129
 6 Telephone: (415) 440-6520
 7 Facsimile: (415) 440-4155
 8 Email: cleanwater@sfo.com
 9 samantha@lawyersforcleanwater.com

7 Amy Chastain (Bar No. 235745)
 8 SAN FRANCISCO BAYKEEPER
 9 785 Market Street, Suite 850
 10 San Francisco, CA 94103
 11 Telephone: (415) 856-0444 x 106
 12 Facsimile: (415) 856-0443
 13 Email: amy@baykeeper.org

11 Attorneys for Plaintiff
 12 SAN FRANCISCO BAYKEEPER

13 UNITED STATES DISTRICT COURT
 14
 15 NORTHERN DISTRICT OF CALIFORNIA

16
 17 SAN FRANCISCO BAYKEEPER, a non-profit corporation, Civil Case No.: C-08-03760-BZ (EDL)

18 Plaintiff,

19 v.

20 TOWN OF HILLSBOROUGH, a municipal
 21 corporation;

22 Defendant.

**STIPULATION TO DISMISS PLAINTIFF'S
 CLAIMS WITH PREJUDICE;
 SETTLEMENT AGREEMENT;
 [PROPOSED] ORDER**

23 **STIPULATION TO DISMISS PLAINTIFFS' CLAIMS WITH PREJUDICE**

24 Plaintiff San Francisco Baykeeper ("Plaintiff" or "Baykeeper") and Defendant Town of
 25 Hillsborough ("Town" or "Defendant") by and through their attorneys of record, hereby enter into
 26 this stipulation, dismissal with prejudice, and settlement agreement.
 27

28 STIPULATION TO DISMISS CLAIMS WITH PREJUDICE;
 SETTLEMENT AGREEMENT; [PROPOSED] ORDER: 1

[C-08-03760-BZ (EDL)]

1 WHEREAS, Plaintiff and Defendant (the "Parties") have entered into a settlement agreement
2 ("Settlement Agreement" or "Agreement") that achieves a full and final settlement of all Plaintiff's
3 claims against Defendant as set forth in Civil Case No. C-08-03760-BZ (EDL) (hereinafter
4 "Complaint");

5 WHEREAS, a copy of the Agreement is incorporated herein and attached as Exhibit A to this
6 stipulated dismissal and [proposed] order;

7 NOW THEREFORE, the Parties jointly stipulate as follows:

8 1. All claims alleged in Plaintiff's Complaint against Defendant as set forth in Civil Case
9 No. C-08-03760-BZ (EDL) are dismissed with prejudice.

10 2. The Parties respectfully request that the Court retain jurisdiction over Civil Case No.
11 C-08-03760-BZ (EDL) for the purpose of resolving any disputes between the Parties with respect to
12 enforcement of any provision of the terms of the Agreement.

13 Dated: July 13, 2009

LAWYERS FOR CLEAN WATER, INC.

14 By: 

15 Daniel Cooper
16 Attorneys for Plaintiff

17
18
19 Dated: July 15, 2009

DOWNEY BRAND LLP

20 By: 

21 Melissa Thorne
22 Attorneys for Defendant
23
24
25
26
27

~~PROPOSED~~ ORDER

Based on the above stipulation of the Parties,

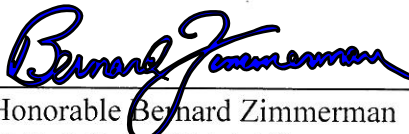
IT IS HEREBY ORDERED that Plaintiff's claims against Defendant as set forth in Civil Case No. C-08-03760-BZ (EDL) are dismissed with prejudice.

IT IS FURTHER ORDERED that the Court shall retain jurisdiction over Civil Case No. C-08-03760-BZ (EDL) for the sole purpose of enforcing compliance by the Settling Parties with the terms of the Settlement Agreement attached as Exhibit A to the Parties' Stipulation to Dismiss with Prejudice.

IT IS SO ORDERED. ALL PRESENTLY SCHEDULED DATES ARE VACATED.

Date: September 4, 2009

NORTHERN DISTRICT OF CALIFORNIA



Honorable Bernard Zimmerman
United States District Court
Northern District of California