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2 *A PROFESSIONAL LAW CORPORATION*  
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5 Attorneys for Plaintiffs  
6 CRAIG YATES  
and DISABILITY RIGHTS  
7 ENFORCEMENT, EDUCATION,  
SERVICES: HELPING YOU  
8 HELP OTHERS,

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 CRAIG YATES, an individual; )  
12 and DISABILITY RIGHTS )  
ENFORCEMENT, EDUCATION, )  
13 SERVICES: HELPING YOU )  
HELP OTHERS, a California public benefit )  
14 corporation, )

15 Plaintiffs, )

16 v. )

17 SUTTER HEALTH, a California )  
corporation, dba MARIN SQUARE )  
18 Defendants. )

CASE NO. CV-08-5319-BZ

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

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

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 prejudice  
3 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 one  
5 original document.

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7 Dated: December 15, 2009

THOMAS E. FRANKOVICH  
*A PROFESSIONAL LAW CORPORATION*

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By: \_\_\_\_\_ /S/ \_\_\_\_\_

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Thomas E. Frankovich  
Attorneys for CRAIG YATES and  
DISABILITY RIGHTS ENFORCEMENT,  
EDUCATION SERVICES:HELPING YOU HELP  
OTHERS

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1 Dated: \_\_\_\_\_, 2009

2 **McDONOUGH HOLLAND & ALLEN PC**  
3 **Attorneys at Law**

4 By: \_\_\_\_\_  
5 **Julie Raney**  
6 **Attorneys for SUTTER HEALTH, a California**  
7 **corporation, dba MARIN SQUARE**

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 the  
11 **purpose of enforcing the parties' Settlement Agreement and General Release should such**  
12 **enforcement be necessary.**


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14 Dated: \_\_\_\_\_, 2009

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16 **Honorable Bernard Zimmerman**  
17 **UNITED STATE DISTRICT JUDGE**  
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Dated: 12/15, 2009

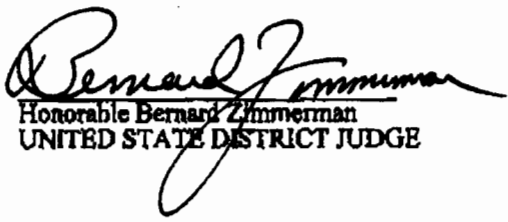
McDONOUGH HOLLAND & ALLEN PC  
Attorneys at Law

By:   
Julie Ranley  
Attorneys for SUTTER HEALTH, a California  
corporation, dba MARIN SQUARE

ORDER

IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to  
Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the  
purpose of enforcing the parties' Settlement Agreement and General Release should such  
enforcement be necessary, *until Jan 1, 2011*

Dated: 15 Dec, 2009

  
Honorable Bernard Zimmerman  
UNITED STATE DISTRICT JUDGE