

e-filed 12/8/11

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16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**

18 SUSAN MORA, as Trustee of The Merl Saunders
 19 Trust; MERL SAUNDERS, JR., as Trustee of The
 20 Merl Saunders Trust; and TONY SAUNDERS, as
 21 Trustee of The Merl Saunders Trust,

22 Plaintiffs,

23 v.

24 JERRY GARCIA ESTATE LLC, a California
 25 limited liability company; JERRY GARCIA
 26 FAMILY LLC, a California limited liability
 27 company; RHINO ENTERTAINMENT
 28 COMPANY, a Delaware corporation; WARNER
 MUSIC GROUP CORP., a Delaware corporation;
 WARNER STRATEGIC MARKETING, INC., a
 Delaware corporation; DEBORAH KOONS
 GARCIA (sued as DOE 1), an individual;
 DEBORAH KOONS GARCIA (sued as DOE 2)
 and DAVID HELLMAN (sued as DOE 3) and
 DOES 5 through 10, as Trustees of the KEELIN
 GARCIA TESTAMENTARY TRUST (sued as
 DOE 4); and DOES 11 through 1000, inclusive,

Defendants.

Case No: CV 08 5772 RS

**STIPULATION RE: DISMISSAL WITH
 PREJUDICE OF ENTIRE ACTION;**

[PROPOSED] ORDER

[E-FILING]

1 This Stipulation is entered into by and between SUSAN MORA, as Trustee of The Merl
2 Saunders Trust; MERL SAUNDERS, JR., as Trustee of The Merl Saunders Trust; and ANTHONY
3 SAUNDERS WASHINGTON, as Trustee of The Merl Saunders Trust (collectively "Plaintiffs"), on the
4 one hand, and DEBORAH KOONS GARCIA ("Mrs. Garcia"), on the other hand. Plaintiffs and Mrs.
5 Garcia may be referred to herein severally as a "Party" or jointly as the "Parties."

6 This Stipulation is made with reference to the following recitals:

7 WHEREAS, on December 29, 2008, the complaint in this action was filed; and

8 WHEREAS, on June 26, 2009, a first amended complaint was filed; and

9 WHEREAS, on August 9, 2010, Mrs. Garcia filed her answer to the first amended complaint;

10 and

11 WHEREAS, as of the date of this Stipulation, Plaintiffs have dismissed all named defendants
12 except for Mrs. Garcia; and

13 WHEREAS, Plaintiffs and Mrs. Garcia have entered into a settlement agreement, pursuant to
14 which this action is to be dismissed with prejudice; and

15 WHEREAS, Rule 41(a) of the Federal Rules of Civil Procedure requires a stipulation of
16 dismissal in order that Plaintiffs may dismiss this action; and

17 WHEREAS, the Parties have agreed that each shall bear its own attorneys' fees and costs; and

18 WHEREAS, the Parties agree that Plaintiffs shall file this Stipulation with the Court for an order
19 thereon;

20 NOW THEREFORE, subject to the Court's approval, Plaintiffs and Mrs. Garcia, by and through
21 their respective undersigned counsel, hereby stipulate as follows:

22 1.0 The foregoing recitals are hereby incorporated by this reference.

23 2.0 This action shall be dismissed with prejudice in its entirety, each party to bear its own
24 attorneys' fees and costs.

25 3.0 Plaintiffs shall file this Stipulation with the Court for an order thereon.

26 Dated: December 7, 2011 By: IDELL & SEITEL, LLP
27 /s/ Richard J. Idell
Richard J. Idell
28 Ory Sandel
Attorneys for Plaintiffs

