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Thimesch Law Offices
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Attorneys for Plaintiff
CRAIG YATES

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES,

Plaintiff,

CASE NO. C08-05804 MHP
Civil Rights

v.

SIZZLER RESTAURANT # 571; BAY
AREA HOSPITALITY GROUP; VIJAY K.
BHATIA; SIZZLER USA REAL
PROPERTY, INC.; SIZZLER USA
RESTAURANTS, INC.; WILTSHIRE
PROPERTIES; WILTSHIRE PROPERTIES,
LLC; WILTSHIRE FAMILY PROPERTIES,
LLC; ALBERT M. S WILTSHIRE;
TIMOTHY A. WILTSHIRE; SHAUN
WILTSHIRE; MICHAEL WILTSHIRE; and
DOES 1 through 50, Inclusive.,

Defendants.

**REQUEST FOR DISMISSAL WITH
RETAINED JURISDICTION TO
INTERPRET AND ENFORCE THE
SETTLEMENT AGREEMENT;
[Proposed] ORDER OF DISMISSAL**

_____ /

Thanks to the efforts of the ADR Department and Mediator Robin Siefken, Esq., the parties are pleased to report they have reached a complete settlement in all respects, including plaintiff’s claims for injunctive relief, statutory damages, and reasonable statutory attorney fees, litigation expenses and costs. The parties have memorialized the settlement through written agreement, and request the dismissal of the action with prejudice, with the Court maintaining continuing jurisdiction to interpret and enforce the settlement agreement. For this purpose, the parties request that the Court set aside its previous Ninety-Day Conditional Order of Dismissal at

1 (CD 26) in favor of the instant Request for Dismissal with Retained Jurisdiction.

2

3 Dated: December 3, 2009

THIMESCH LAW OFFICES
TIMOTHY S. THIMESCH, ESQ.
GENE FARBER, ESQ. – Of Counsel

5

/S/ Signature Authorized
Attorneys for Plaintiff
CRAIG YATES

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7 **APPROVED AS TO FORM:**

8 Dated: December 3, 2009

LAWRENCE A. BASKIN
KRAUSE AND BASKIN

9

/s/ Authorized Signed
Attorneys for Defendants TIMOTHY A.
WILTSHIRE; WILTSHIRE FAMILY
PROPERTIES, LLC; and WILTSHIRE
PROPERTIES

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13 Dated: December 3, 2009

ANDERSON, McPHARLAN & CONNERS LLP
D. DAMON WILLENS ESQ.

14

15

/s/ Authorized Signed
Attorneys for Defendants SIZZLER USA REAL
PROPERTY, INC. and SIZZLER USA
RESTAURANTS, INC.

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17

18 Dated: December 3, 2009

LAW OFFICES OF COURTNEY M. COATES
COURTNEY M. COATES, ESQ.

19

/s/ Authorized Signed
Attorneys for Defendants
SIZZLER RESTAURANT # 571; BAY AREA
HOSPITALITY, INC.; and VIJAY K. BHATIA

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ORDER

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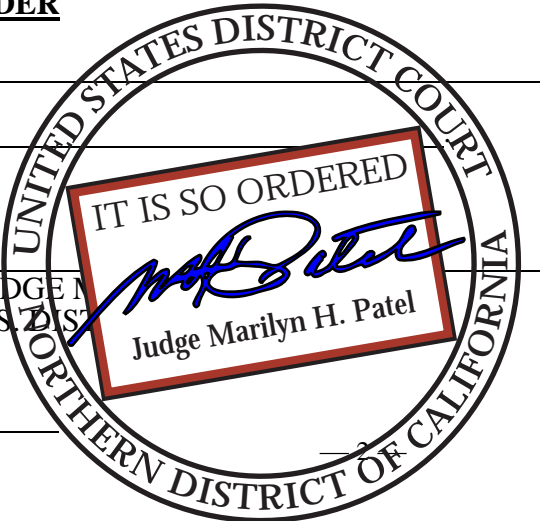
24 SO ORDERED. _____

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27 Dated: 12/8/2009

JUDGE M
U.S. DIST



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