

1 THOMAS E. FRANKOVICH (State Bar #074414)
2 THOMAS E. FRANKOVICH
3 *A PROFESSIONAL LAW CORPORATION*
4 4328 Redwood Hwy, Suite 300
5 San Rafael, CA 94903
6 Telephone: 415/444-5800
7 Facsimile: 415/444-5805

8
9 Attorneys for Plaintiffs
10 CRAIG YATES, an individual; and
11 DISABILITY RIGHTS, ENFORCEMENT,
12 EDUCATION, SERVICES:HELPING
13 YOU HELP OTHERS, a California
14 public benefit corporation,
15
16
17
18

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

11 CRAIG YATES, an individual; and)
12 DISABILITY RIGHTS, ENFORCEMENT,)
13 EDUCATION, SERVICES:HELPING YOU)
14 HELP OTHERS, a California public benefit)
15 corporation,
16 Plaintiffs,
17 v.
18 Defendant.

CASE NO. CV-09-0310-JCS

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

19
20 The parties, by and through their respective counsel, stipulate to dismissal of this action in
21 its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the
22 Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own
23 costs and attorneys’ fees. The parties further consent to and request that the Court retain
24 jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S.
25 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement
26 agreements).

27 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
28 their designated counsel that the above-captioned action be and hereby is dismissed with prejudice

STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON **CV-09-0310-JCS**

1 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

2 This stipulation may be executed in counterparts, all of which together shall constitute one
3 original document.

4
5 Dated: December 14, 2011

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

6
7 By: /s/ Thomas E. Frankovich
Thomas E. Frankovich
8 Attorney for CRAIG YATES, an individual; and
9 DISABILITY RIGHTS, ENFORCEMENT,
EDUCATION, SERVICES:HELPING YOU HELP
10 OTHERS, a California public benefit corporation

11
12 Dated: December 14, 2011

BRADLEY & GMELICH

13
14
15 By: /s/ G. Dean Guerrero, Esq.
G. Dean Guerrero, Esq
16 Attorneys for CHRIS S. MANITSAS, TRUSTEE OF
17 THE GEORGE MANITSAS TRUST

18
19 **ORDER**

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

24
25 Dated: December 16, 2011

