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Attorneys for Plaintiffs
 CRAIG YATES, an individual; and
 DISABILITY RIGHTS, ENFORCEMENT,
 EDUCATION, SERVICES:HELPING
 YOU HELP OTHERS, a California
 public benefit corporation,

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

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

Plaintiffs,)

v.)

CHRIS S. MANITSAS, TRUSTEE OF THE)
 GEORGE MANITSAS TRUST,)

Defendant.)

CASE NO. CV-09-0310-JCS

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

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

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through 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.

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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,
10 EDUCATION, SERVICES:HELPING YOU HELP
11 OTHERS, a California public benefit corporation

12 Dated:December 14, 2011

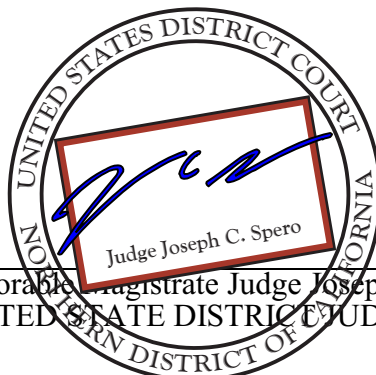
BRADLEY & GMELICH

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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

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Honorable Magistrate Judge Joseph C. Spero
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA