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8	Attorneys for plaintiffs UNITED STATES	DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA			
10	AIK CHEONG NEO, an individual D/B/A PO LO KU TRADING, and KAI CHANG HO, an	Civil Action No. C09-00739		
11	individual			
12	Plaintiffs	STIPULATION OF DISMISSAL OF DEFENDANT SUNNY GOLD, INC., a New		
13		York Corporation, WITH PREJUDICE,		
14	Corporation D/B/A MARINA FOOD #5;	PURSUANT TO FED. R. CIV. P. 41(a)(1) AND ORDER		
15	Corporation D/B/A 99 RANCH MARKET; T. L. LONGCHAMP CORPORATION, a	WITH MODIFICATIONS		
16	California Corporation D/B/A LION FOOD CENTER; WING WA, INC., a California			
17	Corporation D/B/A WING WA SUPERMARKET; NGU HANH SON INC. a			
18	California Corporation D/B/A CHO SENTER MARKET; ROYAL CAPITAL GROUP, LLC.			
19	D/B/A NEW ASIA SUPERMARKET; LINCHANG Liu and YI-HUI LIU, individuals			
20	D/B/A EIGHT-WAY VEGE; HAWAII SUPERMARKET; MY THUAN, INC. , a			
21	California Corporation D/B/A MY THUAN SUPERMARKET; DONG PHUONG INC, a			
22	California Corporation D/B/A ABC SUPERMARKET; SAIGON CITY			
23	INVESTMENT, INC., a California Corporation, D/B/A SAIGON CITY MARKETPLACE;			
24	CHUNG WORLD CORPORATION, a			
25	California Corporation, D/B/A QUANG MINH SUPERMARKET; HOA BINH GARDEN GROVE SUPERMARKET, INC., a California			
26	Corporation; KAM LEE YUEN TRADING			
27	CO., INC., a California Corporation; SUNNY GOLD INC., a New York Corporation; PO LO KU TRADING, INC., a New York Corporation;			
28	and JOHN DOES 1-20;			
	Defendants.			

- 1 2 Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiffs Aik Cheong 3 Neo, an individual D/B/A Po Lo Ku Trading ("Neo"), and Kai Chang Ho, an individual ("Ho") and Defendant Sunny Gold, Inc., a New York Corporation ("Sunny Gold") hereby stipulate and 4 5 jointly request that the Court dismiss Neo's and Ho's claims against Sunny Gold, with prejudice. 6 Neo, Ho, and Sunny Gold jointly declare the following in support of this request: 7 WHEREAS the above-captioned action (the "Action") was commenced on February 19, 8 2009, with service accomplished upon Sunny Gold thereafter. 9 WHEREAS Neo, Ho, and Sunny Gold have entered into a settlement agreement on 10 November 26, 2009, resolving all of the claims against Sunny Gold in the Action. 11 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed by Neo, Ho, and 12 Sunny Gold, and through their counsel of record, that Neo's and Ho's claims against Sunny 13 Gold be dismissed with prejudice, pursuant to Rule 41(a)(1) of the Federal Rules of Civil 14 Procedure. In accordance with the Agreement, Neo, Ho, and Sunny Gold also request that this 15 Court retain and have exclusive jurisdiction over Neo, Ho, and Sunny Gold with respect to 16 disputes arising under the Agreement, and further agree that any such disputes arising under the 17 Agreement shall be heard before a Magistrate Judge. 18 IT IS FURTHER STIPULATED and agreed by Neo, Ho, and Sunny Gold, and through 19 their counsel of record, that Neo, Ho, and Sunny Gold are to bear their own costs and attorneys'
- 20 fees. 21

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IT IS SO STIPULATED.

LAW OFFICES OF RICHARD C.J. WAHNG

By:____

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Richard C. J. Wahng Attorney for Plaintiffs Aik Cheong Neo, and individual and d/b/a Po Lo Ku Trading, and Kai Chang Ho, an individual

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2	Dated: December 8, 2009	GENGA & ASSOCIATES, P.C.
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4		By: /s/ Donald Charles Moody
5		Donald Charles Moody Fei Pang Jerl Brandon Leutz
6		Attorneys for Defendant Sunny Gold, Inc., a New York Corporation
7		Sunny Gold, Inc., a New York Corporation
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1	OBDED	
2	<u>ORDER</u> Having considered Plaintiffs Ails Change Nee, on individual D/D/A. Do La Ky Tarding	
3	Having considered Plaintiffs Aik Cheong Neo, an individual D/B/A Po Lo Ku Trading,	
4	and Kai Chang Ho, an individual, and Defendant Sunny Gold, Inc., a New York Corporation's	
5	Stipulation of Dismissal with Prejudice, Pursuant to Fed. R. Civ. P. 41(a)(1) ("Amended	
6	Stipulation of Dismissal"), and for good cause appearing, it is hereby ORDERED that this	
7 8	Action, and associated cross-claims, is dismissed with prejudice as to Defendant Sunny Gold,	
9	Inc., a New York Corporation.	
10	IT IS FURTHER ORDERED that the Court shall retain and have exclusive jurisdiction	
11	over Plaintiffs Aik Cheong Neo, an individual D/B/A Po Lo Ku Trading and Kai Chang Ho, an	
12	individual, and Defendant Sunny Gold, Inc., a New York Corporation with respect to disputes	
13	arising under the Agreement, and any such disputes arising under the Agreement shall be heard	
14 15	before a Magistrate Judge.	
16	IT IS FURTHER ORDERED that Plaintiffs Aik Cheong Neo, an individual D/B/A Po	
17	Lo Ku Trading, and Kai Chang Ho, an individual, and Defendant Sunny Gold, Inc., a New York	
18	Corporation bear their own attorneys' fees and costs.	
19 20		
20 21	Dated: December 8, 2009.	
21 22		
22	Jurisdiction will be retained for only	
24	three years from the date of this order.	
25	DISTRICT	
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