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7 Attorneys for plaintiffs

8 **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
11 individual

Civil Action No. C09-00739

12 Plaintiffs
13 vs.

**STIPULATION OF DISMISSAL OF
DEFENDANT SUNNY GOLD, INC., a New
York Corporation, WITH PREJUDICE,
PURSUANT TO FED. R. CIV. P. 41(a)(1)
AND ORDER
WITH MODIFICATIONS**

14 MARINA BROTHERS, INC., a California
Corporation D/B/A MARINA FOOD #5;
15 WELCOME MARKET, INC., a California
Corporation D/B/A 99 RANCH MARKET;
16 T. L. LONGCHAMP CORPORATION, a
California Corporation D/B/A LION FOOD
17 CENTER; WING WA, INC., a California
Corporation D/B/A WING WA
18 SUPERMARKET; NGU HANH SON INC. a
California Corporation D/B/A CHO SENTER
19 MARKET; ROYAL CAPITAL GROUP, LLC.
D/B/A NEW ASIA SUPERMARKET;
20 LINCHANG Liu and YI-HUI LIU, individuals
D/B/A EIGHT-WAY VEGE; HAWAII
21 SUPERMARKET; MY THUAN, INC. , a
California Corporation D/B/A MY THUAN
22 SUPERMARKET; DONG PHUONG INC, a
California Corporation D/B/A ABC
23 SUPERMARKET; SAIGON CITY
INVESTMENT, INC., a California Corporation,
24 D/B/A SAIGON CITY MARKETPLACE;
CHUNG WORLD CORPORATION, a
25 California Corporation, D/B/A QUANG MINH
SUPERMARKET; HOA BINH GARDEN
26 GROVE SUPERMARKET, INC., a California
Corporation; KAM LEE YUEN TRADING
27 CO., INC., a California Corporation; SUNNY
GOLD INC., a New York Corporation; PO LO
28 KU TRADING, INC., a New York Corporation;
and JOHN DOES 1-20;

Defendants.

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Dated: December 8, 2009

GENGA & ASSOCIATES, P.C.

By: _____/s/
Donald Charles Moody
Fei Pang
Jerl Brandon Leutz
Attorneys for Defendant
Sunny Gold, Inc., a New York Corporation

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2 **ORDER**

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 Action, and associated cross-claims, is dismissed with prejudice as to Defendant Sunny Gold,
8 Inc., a New York Corporation.
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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 before a Magistrate Judge.
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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.
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21 Dated: December 8, 2009.

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23 **Jurisdiction will be retained for only**
24 **three years from the date of this order.**
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