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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

13 AIK CHEONG NEO, an individual D/B/A PO
 14 LO KU TRADING, and KAI CHANG HO, an
 15 individual

Civil Action No. C09-00739

16 Plaintiffs
 17 vs.

**STIPULATION OF DISMISSAL OF
 DEFENDANT WELCOME MARKET,
 INC., a California Corporation D/B/A 99
 RANCH MARKET, WITH PREJUDICE,
 PURSUANT TO FED. R. CIV. P. 41(a)(1)
 AND ORDER**

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

Defendants.

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Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiffs Aik Cheong Neo, an individual D/B/A Po Lo Ku Trading (“Neo”), and Kai Chang Ho, an individual (“Ho”) and Defendant Welcome Market, Inc., a California Corporation D/B/A 99 Ranch Market (“Welcome Market”) hereby stipulate and jointly request that the Court dismiss Neo’s and Ho’s claims against Welcome Market, and all counter-claims filed by Welcome Market against Neo and Ho, *with prejudice*. Neo, Ho, and Welcome Market jointly declare the following in support of this request:

WHEREAS the above-captioned action (the “Action”) was commenced on February 19, 2009, with service accomplished upon Welcome Market thereafter.

WHEREAS Welcome Market filed a counter-claim in above-captioned action on May 11, 2009, with service accomplished thereafter.

WHEREAS Neo, Ho, and Welcome Market have entered into a settlement agreement on July 14, 2009, resolving all of the claims and counter-claims in the Action.

NOW THEREFORE, IT IS HEREBY STIPULATED and agreed by Neo, Ho, and Welcome Market, and through their counsel of record, that Neo’s and Ho’s claims against Welcome Market and Welcome Market’s counter-claims against Neo and Ho, be dismissed with prejudice, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

IT IS FURTHER STIPULATED and agreed by Neo, Ho, and Welcome Market, and through their counsel of record, that Neo, Ho, and Welcome Market are to bear their own costs and attorneys’ fees.

IT IS SO STIPULATED.

Dated: July 15, 2009

LAW OFFICES OF RICHARD C.J. WAHNG

By: _____/s/
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

1 Dated: July14, 2009

LATHAM & WATKINS LLP

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3 By: _____/s/
4 Deborah A. Gubernick
5 Attorneys for Defendant
6 Welcome Market, Inc.
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ORDER

Having considered Plaintiffs Aik Cheong Neo, an individual D/B/A Po Lo Ku Trading, and Kai Chang Ho, an individual, and Defendant Welcome Market, Inc., d/b/a 99 Ranch Market's Stipulation of Dismissal with Prejudice, Pursuant to Fed. R. Civ. P. 41(a)(1) ("Stipulation of Dismissal"), and for good cause appearing, it is hereby **ORDERED** that this Action, are dismissed with prejudice as to Defendant Welcome Market, Inc., d/b/a 99 Ranch Market. The counter-claims by Welcome Market, Inc., d/b/a 99 Ranch Market against Plaintiffs are also dismissed.

IT IS FURTHER ORDERED that Plaintiffs Aik Cheong Neo, an individual D/B/A Po Lo Ku Trading, and Kai Chang Ho, an individual, and Defendant Welcome Market, Inc., d/b/a 99 Ranch Market bear their own attorneys' fees and costs.

Dated: July 20, 2009

