

1 THOMAS E. FRANKOVICH (State Bar #074414)
THOMAS E. FRANKOVICH
2 A PROFESSIONAL LAW CORPORATION
4328 Redwood Hwy, Suite 300
3 San Rafael, CA 94903
Telephone: 415/674-8600
4 Facsimile: 415/674-9900

5 CRAIG YATES
and DISABILITY RIGHTS
6 ENFORCEMENT, EDUCATION,
SERVICES: HELPING YOU
7 HELP OTHERS,

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

RS

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

CASE NO. CV-09-1788-WHA

STIPULATION OF DISMISSAL AND
[PROPOSED] ORDER THEREON

RS

13 Plaintiffs,)
14)

15 v.)

16 ROY V. LEMBI, an individual; and)
JESUS J. PEREZRANGEL, an individual)
dba PLAYA AZUL MARISCOS,)

17 Defendants.)
18)

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 ///

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action be and hereby is dismissed with prejudice
3 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

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

6
7
8
9 Dated: June 23, 2010

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

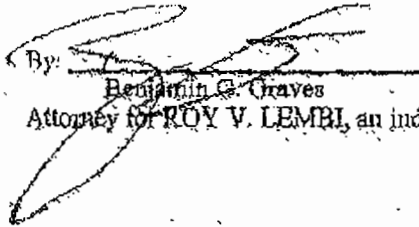
10
11 By: _____ /S/
12 Thomas E. Frankovich
13 Attorney for CRAIG YATES and
14 DISABILITY RIGHTS ENFORCEMENT,
15 EDUCATION SERVICES:HELPING YOU HELP
16 OTHERS

17 ///
18 ///
19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///
28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: 6/23, 2010


The Law Offices Of Benjamin C. Graves

By: 
Benjamin C. Graves
Attorney for ROY V. LEMBI, an individual

ORDER

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

Dated: 7/13/, 2010


Honorable Judge ~~William H. Ainsup~~ RICHARD STINSON
UNITED STATE DISTRICT JUDGE