

E-Filed 5/31/11

1 CLIFFORD E. YIN (State Bar No. 173159)
 MATTHEW C. DIRKES (State Bar No. 255215)
 2 COBLENTZ, PATCH, DUFFY & BASS LLP
 One Ferry Building, Suite 200
 3 San Francisco, California 94111-4213
 Telephone: 415.391.4800
 4 Facsimile: 415.989.1663
 Email: ef-cey@cpdb.com
 5 ef-mcd@cpdb.com

6 Attorneys for Defendants COCOA
 DEVELOPMENT RETAIL, LLC; JMA
 7 VENTURES LLC; and COCOA PRC II, LLC

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 10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12 SEBASTIAN DEFRANCESCO,

13 Plaintiff,

14 v.

15 COCOA DEVELOPMENT RETAIL, LLC
 16 dba GHIRARDELLI SQUARE GARAGE;
 JMA VENTURES LLC; COCOA PRC II,
 17 LLC; and DOES 1-10, Inclusive,

18 Defendants.

Case No. C09-02044 - MHP

STIPULATION TO DISMISS AND
[PROPOSED] ORDER
PURSUANT TO FRCP RULE
41(A)(1)(A)(ii)

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 20 IT IS HEREBY STIPULATED by and between Plaintiff SEBASTIAN DeFRANCESCO
 21 and Defendants COCOA DEVELOPMENT RETAIL, LLC dba GHIRARDELLI SQUARE
 22 GARAGE; JMA VENTURES LLC; COCOA PRC II, LLC, through their designated counsel, that
 23 this action be and is hereby dismissed with prejudice pursuant to FRCP 41(a)(1)(A)(ii). The
 24 parties will bear their own attorney fees and costs in connection with said dismissal. The Court

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COBLENTZ, PATCH, DUFFY & BASS LLP
 ONE FERRY BUILDING, SUITE 200, SAN FRANCISCO, CALIFORNIA 94111-4213
 415.391.4800 · FAX 415.989.1663

1 retains jurisdiction to enforce the terms of the Consent Decree and Order entered by the Court on
2 August 11, 2010 (the "Consent Decree").

3 DATED: May 31, 2011 LAW OFFICES OF PAUL L. REIN

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6 By: /s/ Celia McGuinness
7 Celia McGuinness
8 Attorneys for Plaintiff
9 SEBASTIAN DEFRANCESCO

10 DATED: May 31, 2011 COBLENTZ, PATCH, DUFFY & BASS LLP

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13 By: /s/ Clifford E. Yin
14 Clifford E. Yin
15 Attorneys for Defendants COCOA
16 DEVELOPMENT RETAIL, LLC; JMA
17 VENTURES LLC; and COCOA PRC II, LLC

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20 **[PROPOSED] ORDER BY THE COURT**

21 Pursuant to the parties' request, and for good cause shown, this matter is hereby
22 dismissed WITH prejudice. The Court retains jurisdiction to enforce the terms of the Consent
23 Decree.

24 IT IS SO ORDERED.

25 DATED: 5/31, 2011

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Honorable RICHARD SEEBORG
United States District Court Judge