

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

IRMA RAMIREZ and
 DAREN HEATHERLY, each an individual;

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IRMA RAMIREZ and DAREN
 HEATHERLY, each an individual;
 Plaintiffs,

v.

DONALD I. LANGENDORF, TRUSTEE
 OF THE DONALD I. and KENNETH E.
 LANGENDORF TRUST; KENNETH E.
 LANGENDORF, TRUSTEE OF THE
 DONALD I. and KENNETH E.
 LANGENDORF TRUST; FRANKLIN C.
 WALT, TRUSTEE OF THE FRANKLIN C.
 and DOROTHY G. WALT TRUST;
 DOROTHY G. WALT, TRUSTEE OF THE
 FRANKLIN C. and DOROTHY G. WALT
 TRUST; ROBERT M. WALT, TRUSTEE
 OF THE ROBERT M. WALT TRUST
 AGREEMENT; and JEANNE A. WALT,
 TRUSTEE OF THE JEANNE A. WALT
 TRUST, a.k.a. LA BUFA,

Defendants.

Case No. CV-09-3885-JSW

**STIPULATION OF DISMISSAL AND
~~PROPOSED~~ ORDER THEREON**

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S.

STIPULATION OF DISMISSAL AND ~~PROPOSED~~ ORDER THEREON

1 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement
2 agreements).

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

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

9
10 Dated: September 30, 2010

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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12 By: /S/ Thomas E. Frankovich
13 Thomas E. Frankovich
14 Attorney for IRMA RAMIREZ and DAREN
HEATHERLY

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STIPULATION OF DISMISSAL AND ~~PROPOSED~~ ORDER THEREON

1 Dated: Aug 16, 2010

Clement, Fitzpatrick & Kenworthy

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4 By: 

Peter DeGolia

Attorneys for FRANKLIN C. WALT

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8 ORDER

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

13
14 Dated: September 30, 2010

15 
16 Honorable Judge Jeffery S. White
17 UNITED STATE DISTRICT JUDGE