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5 Attorney for Plaintiff
 CRAIG YATES

6
 7 **UNITED STATES DISTRICT COURT**
 8 **NORTHERN DISTRICT OF CALIFORNIA**

9 CRAIG YATES, an individual,)
 10 Plaintiff,)
 11 v.)
 12 YANCY'S SALOON; MARIA)
 GIOVANNA VALBONESI; and REMO)
 13 DANILO VALBONESI,)
 14 Defendants.)

CASE NO. CV-09-5728-JL
 STIPULATION OF DISMISSAL AND
 [PROPOSED] ORDER THEREON

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 17 The parties, by and through their respective counsel, stipulate to dismissal of this action in
 18 its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the
 19 Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own
 20 costs and attorneys' fees. The parties further consent to and request that the Court retain
 21 jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S.
 22 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement
 23 agreements).

24 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
 25 their designated counsel that the above-captioned action be and hereby is dismissed with prejudice

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1 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

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


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5 Dated: _____, 2011

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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9 By: _____
Thomas E. Frankovich
Attorney for Plaintiff CRAIG YATES, an individual,

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11
12 Dated: 4/1, 2011

Law Offices Of Mark R. Mittelman

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14 
15 By: _____
Mark Mittelman
Attorneys for Defendants YANCY'S SALOON;
16 MARIA GIOVANNA VALBONESI; and REMO
17 DANILO VALBONESI

18
19 **ORDER**

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

24
25 Dated: 4-8, 2011

26 
27 Honorable Magistrate Judge James Larsen
28 UNITED STATE DISTRICT JUDGE