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5 Attorneys for Plaintiff
 CRAIG YATES, an individual;

7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA

9 CRAIG YATES, an individual,)
)
 10 Plaintiff,)
)
 11 v.)
)
 12 THAINA CAFÉ LLC, a California Limited)
 Liability Company; and STAR 94 LLC, a)
 13 California Limited Liability Company,)
)
 14)
 Defendants.)
 15 _____)

CASE NO. CV-10-1411-MEJ
STIPULATION OF DISMISSAL AND
~~**PROPOSED**~~ **ORDER THEREON**

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 17 The parties, by and through their respective counsel, stipulate to dismissal of the
 18 complaint 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
 22 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of
 23 settlement 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

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 28 ///

1 prejudice 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
3 one original document.

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5 Dated: January 9, 2012

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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8 By: /s/ Thomas E. Frankovich
Thomas E. Frankovich
9 Attorney for CRAIG YATES, an individual

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11
12 Dated: January 9, 2012

MASTROMONACO REAL PROPERTY LAW
GROUP

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15 By: /s/ Matthew K. Hindman
Matthew K. Hindman
16 Attorneys for STAR 94 LLC, a California Limited
17 Liability Company

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
22 the purpose of enforcing the parties' Settlement Agreement and General Release should such
23 enforcement be necessary.

24
25 Dated: January 9, _____, 2012

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27 
28 Honorable Magistrate Judge Maria-Elena James
UNITED STATES DISTRICT JUDGE