

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 Attorneys for Plaintiff  
 CRAIG YATES, an individual

7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA

9 CRAIG YATES, an individual )  
 )  
 10 Plaintiffs, )  
 )  
 11 v. )  
 )  
 12 KHAN TOKE THAI HOUSE; RANGSAN )  
 FASUDHANI and AREEWAN )  
 13 FASUDHANI, each an individual dba )  
 KHAN TOKE THAI HOUSE; and )  
 14 RANGSAN and AREEWAN )  
 FASUDHANI, Trustees in Trust under THE )  
 15 RANGSAN and AREEWAN )  
 FASUDHANI, JOINT LIVING TRUST, )  
 16 dated October 8, 1987, )  
 )  
 17 Defendants. )  
 )  
 18 \_\_\_\_\_ )

**CASE NO. CV-10-3359-MEJ**  
  
**STIPULATION OF DISMISSAL AND**  
**[PROPOSED] ORDER THEREON**

19 The parties, by and through their respective counsel, stipulate to dismissal of this action in  
 20 its entirety with prejudice pursuant to Fed. R. Civ. P. 41(a) (2). Outside of the terms of the  
 21 Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own  
 22 costs and attorneys’ fees. The parties further consent to and request that the Court retain  
 23 jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S.  
 24 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement  
 25 agreements).

26 ///

27

28

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 41(a)(2).

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

6  
7 Dated: April 17, 2012

THOMAS E. FRANKOVICH  
*A PROFESSIONAL LAW CORPORATION*

8  
9 By: /s/ Thomas E. Frankovich  
Thomas E. Frankovich  
10 Attorneys for Plaintiff CRAIG YATES, an  
11 individual

12 Dated: April 18, 2012

Law Office of Jason G. Gong  
*A Professional corporation*

13  
14 By: /s/ Jason G. Gong  
15 Jason G. Gong, Esq.  
16 Attorney for Defendant's RANGSAN  
17 FASUDHANI and AREEWAN FASUDHANI, each  
18 an individual; and RANGSAN and AREEWAN  
19 FASUDHANI, Trustees in Trust under THE  
20 RANGSAN and AREEWAN FASUDHANI, JOINT  
21 LIVING TRUST, dated October 8, 1987,

22 **ORDER**

23 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to Fed.  
24 R. Civ. P. 41(a)(2). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the  
25 purpose of enforcing the parties' Settlement Agreement and General Release should such  
26 enforcement be necessary.

27 Dated: April 18, 2012

28   
Honorable Magistrate Judge Maria Elena James  
UNITED STATE DISTRICT JUDGE