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 2 *A PROFESSIONAL LAW CORPORATION*
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5 Attorneys for Plaintiff CRAIG YATES

6 UNITED STATES DISTRICT COURT
 7 NORTHERN DISTRICT OF CALIFORNIA
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10 CRAIG YATES, an individual,)
 11 Plaintiff,)
 12 v.)
 13 ORIGINAL BUFFALO WINGS; THE)
 14 UNG CORPORATION, dba ORIGINAL)
 15 BUFFALO WINGS; PATRICIA)
 16 MONTAGUE, an individual; and)
 17 PATRICIA MONTAGUE, as trustee of the)
 PATRICIA MONTAGUE FAMILY)
 18 TRUST of 2004,)
 19 Defendants.)
 20

CASE NO. CV-10-3582-~~EMC~~

STIPULATION OF DISMISSAL AND
[~~PROPOSED~~] ORDER THEREON

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

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

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

8 Dated: January 9, 2012

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

9
10
11 By: /s/ Thomas E. Frankovich
12 Thomas E. Frankovich
13 Attorney for Plaintiff CRAIG YATES, an
14 individual

15
16
17 Dated: _____, 2012

BRENDA CRUZ KEITH, LAWYER

18 By: _____
19 Brenda Cruz-Keith
20 Attorney for Defendant ORIGINAL BUFFALO
21 WINGS, INC. THE UNG CORPORATION, dba
22 ORIGINAL BUFFALO WINGS;

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SIGNATURES CONTINUED ON NEXT PAGE

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

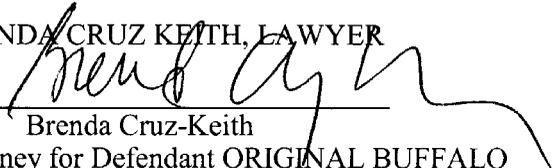
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6 one original document.

7
8 Dated: _____, 2012

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

9
10
11 By: _____
12 Thomas E. Frankovich
13 Attorney for Plaintiff CRAIG YATES, an
14 individual

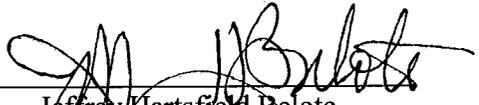
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16
17 Dated: Jan 5, 2012

BRENDA CRUZ KEITH, LAWYER
18 By: 
19 Brenda Cruz-Keith
20 Attorney for Defendant ORIGINAL BUFFALO
21 WINGS, INC. THE UNG CORPORATION, dba
22 ORIGINAL BUFFALO WINGS;

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SIGNATURES CONTINUED ON NEXT PAGE

1 Dated: Jan 9, 2012

JEFFREY HARTSFIELD BELOTE,
MORRIS POLICH & PURDY LLP

2
3 By: 

4 Jeffrey Hartsfield Belote
5 Attorneys for Defendants PATRICIA
6 MONTAGUE, an individual; and PATRICIA
7 MONTAGUE, as trustee of the PATRICIA
8 MONTAGUE FAMILY TRUST of 2004

9
10 **ORDER**

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

15 Dated: 01/10, 2012

