

1 JAMES M. DOMBROSKI (CSBN 56898)
2 LAW OFFICE OF JAMES M. DOMBROSKI
3 Post Office Box 751027
4 Petaluma, CA 94975
5 Telephone: (707) 762-7807
6 Facsimile: (707) 769-0419
7 Email: jdomski@aol.com

8 *Law Offices of*
9 WILLIAM H. PAYNTER
10 THOMAS I. SABERI, ESQ. (CSBN 169652)
11 1045 Airport Boulevard, Suite 12
12 South San Francisco, CA 94080
13 Telephone: (650) 588-2428
14 Facsimile: (650) 873-7046

15 Attorneys for Defendants

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA

18 CRAIG YATES,

19 Plaintiff,

20 vs.

21 AUTO CITY 76; R.A.T. OIL, INC., a California
22 corporation; and CANADIAN AMERICAN OIL
23 COMPANY, a California corporation

24 Defendants.

CASE NO. CV-10-3932-EMC

STIPULATION AND ~~[PROPOSED]~~
ORDER RE DEFENDANTS' NOTICE OF
MOTION TO DISMISS PLAINTIFF'S
FIRST AMENDED COMPLAINT FOR
INJUNCTIVE RELIEF

Date: January 2, 2014
Time: 1:30 p.m.
Judge: Honorable Edward M. Chen
Location: 450 Golden Gate Avenue
San Francisco, California
Courtroom: C, 15th Floor
Complaint filed: September 1, 2010

25 WHEREAS, on November 12, 2013, the Court issued its "Stipulation and Order on
26 Equitable Issue at Auto City 76" ("Stipulation and Order"), as Document 68, which stated:

27 "Pursuant to the parties stipulation, IT IS SO ORDERED, that the
28 Equitable Settlement Agreement and Release signed July 18, 2012,
resolves all claims for equitable/injunctive relief in the First Amended
Complaint, including the visits in June 2013, relative to all defendants
in the above-captioned case."

1 WHEREAS, on November 26, 2013, Defendants AUTO CITY 76, R.A.T. OIL, INC., a
2 California corporation, and CANADIAN AMERICAN OIL COMPANY (hereinafter "Auto
3 City") filed and served Defendants' Notice of Motion and Motion to Dismiss Plaintiff's First
4 Amended Complaint for Injunctive Relief.

5 The parties, by and through their respective counsel, hereby stipulate, based upon the
6 Stipulation and Order, that all claims for equitable/injunctive relief in the First Amended
7 Complaint be dismissed with prejudice.

8 IT IS SO STIPULATED.

9 DATED: November 29, 2013.

THOMAS E. FRANKOVICH,
A Professional Law Corporation

11 By /s/ Thomas E. Frankovich

12 Thomas E. Frankovich
13 Attorney for Plaintiff, Craig Yates, an individual

14 DATED: November 27, 2013.

LAW OFFICES OF JAMES M. DOMBROSKI

16 By _____

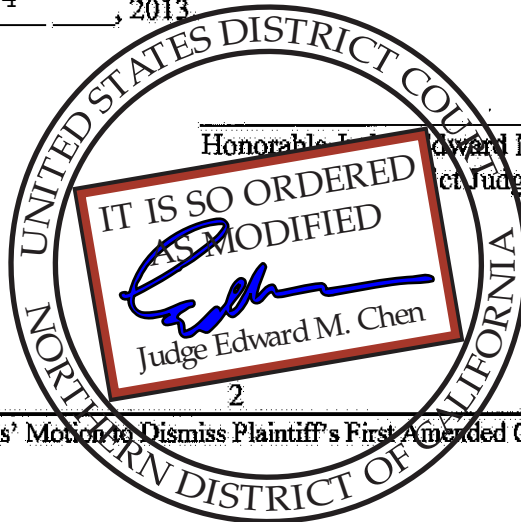
17 James M. Dombroski
18 Attorney for Defendants Auto City 76, R.A.T.
19 Oil, Inc., a California corporation, and Canadian
20 American Oil Company, a California corporation

21 **ORDER**

22 Pursuant to the parties' stipulation, **IT IS SO ORDERED** that all claims for
23 equitable/injunctive relief in the First Amended Complaint are dismissed with prejudice. 1/2/14

24 DATED: 12/4, 2013.

hearing is
vacated.



Honorable _____ Edward M. Chen
District Judge

Judge Edward M. Chen