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8 **Attorney for Plaintiff, MARSHALL LOSKOT**

9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**

11 **MARSHALL LOSKOT,**

12 **Plaintiff,**

13 **v.**

14 **WENCOM LLC, a California Limited**
 15 **Liability Company, dba WENDY'S IN SAN**
 16 **BRUNO, BARRY D. FRAZIER and DOES**
 17 **ONE to FIFTY, inclusive,**

18 **Defendants.**

19 **Case No. CV 10-3995 JL**

20 **STIPULATION OF DISMISSAL WITH**
 21 **PREJUDICE AND ~~(Proposed)~~ ORDER**

22 Plaintiff MARSHALL LOSKOT and Defendant WENCOM LLC, (collectively "the
 23 Parties"), by and through their respective attorneys of record, hereby stipulate as follows:

24 1. The Parties have entered into a Confidential Settlement Agreement and General
 25 Release in this matter whereby they have resolved all claims and agreed to the global
 26 dismissal of the above-captioned action with prejudice, each party to bear their own attorney
 27 fees and costs.

28 2. Accordingly, the Parties jointly request the Court to dismiss this action with
 prejudice.

SINGLETON LAW GROUP

Dated: January 28, 2011

/s/ Jason K. Singleton
 Jason K. Singleton, Attorney for
 Plaintiff, **MARSHALL LOSKOT**

LAW OFFICES OF RICHARD C. J. WAHNG

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2 Dated: January 24, 2011


/s/ Ondrej Likar
Ondrej Likar, Attorneys for Defendant
WENCOM LLC

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6 ORDER OF DISMISSAL WITH PREJUDICE

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8 Having considered the parties' Stipulation of Dismissal with Prejudice and for good
9 cause appearing, it is hereby ORDERED:

- 10 1. The action LOSKOT vs WENCOM LLC, et al., Case Number CV-10-3995 JL, is
11 dismissed with prejudice with each party to bear their own attorney fees and costs.
12

13
14 Dated: February 1, 2011



JAMES LARSON
UNITED STATES DISTRICT JUDGE

JASON K. SINGLETON, CSB#166170
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Attorneys for Plaintiff, MARSHALL LOSKOT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARSHALL LOSKOT,
Plaintiff(s),

v.

WENCOM LLC, et al.,
Defendant(s).

CASE NUMBER CV-10-3995 JL

NOTICE OF DISMISSAL PURSUANT
RULE 41(a) OR (c) F.R.Civ.P.

PLEASE TAKE NOTICE: (Check one)

- This action is dismissed by the Plaintiff (s) in its entirety.
- The Counterclaim brought by Claimant (s) _____ is dismissed by Claimant(s) in its entirety.
- The Cross-Claim brought by Claimant (s) _____ is Dismissed by the Claimant (s) in its entirety.
- The Third-party Claim brought by Claimant (s) _____ is Dismissed by the Claimant (s) in its entirety.
- ONLY Defendant(s) **BARRY D. FRAZIER** is (are) dismissed from
(Circle one) **Complaint**, Counterclaim, Cross-claim, Third Party Claim brought by PLAINTIFF MARSHALL LOSKOT.

The dismissal is made pursuant to Rule 41 (a) or (c) of the Federal Rules of Civil Procedure.

DATED: January 28, 2011

/s/ Jason K. Singleton
Signature of Attorney/Party

NOTE: F.R.Civ.P. 41(a): THIS NOTICE MAY BE FILED AT ANY TIME BEFORE SERVICE BY THE ADVERSE PARTY OF AN ANSWER OR OF A MOTION FOR SUMMARY JUDGMENT, WHICHEVER FIRST OCCURS.

F.R.Civ.P. 41(c): COUNTERCLAIMS, CROSS-CLAIMS & THIRD-PARTY CLAIMS MAY BE DISMISSED BEFORE SERVICE OF A RESPONSIVE PLEADING OR PRIOR TO THE BEGINNING OF TRIAL.