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6 Attorneys for Plaintiff  
 Bess Kennedy as Guardian *Ad Litem* for LaTanya  
 7 Marie Session

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 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

13 Bess Kennedy, as Guardian *Ad Litem* for  
 LaTanya Marie Session,

14 Plaintiff,

15 v.

16 Monterey Bay Resources, Inc., Ty Ebright,  
 17 Ann Ebright, Contanz Frie, Matthew  
 Lopez, PLM Lender Services, Inc. and  
 18 Does 1-50,

19 Defendants.

Case No. 10-cv-04942 WHA

**REQUEST FOR DISMISSAL OF ACTION  
 AND [~~PROPOSED~~ ORDER] GRANTING  
 DISMISSAL**

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**REQUEST FOR DISMISSAL**

Pursuant to Federal Rules of Civil Procedure 41(a)(2), Plaintiff Bess Kennedy as Guardian *Ad Litem* for LaTanya Marie Session hereby requests that the Court dismiss with prejudice the above-captioned action, and all claims and defendants, pursuant to the settlement agreement reached on October 23, 2012 and stated on the record. The settlement agreement was thereafter formally reduced to a written agreement (the "Agreement").

Plaintiff further requests that the Court maintain jurisdiction over the action for the sole purpose of enforcing the terms of the Agreement, which enforcement may be sought by any party to the Agreement by filing an *Ex Parte* Application or Noticed Motion pursuant to the Federal Rules of Civil Procedure and the Local Rules of this Court.

DATED: January 14, 2013

**PERKINS COIE LLP**

By: /s/ Jacqueline Young  
Jacqueline Young

Attorneys for Plaintiff  
Bess Kennedy as Guardian *Ad Litem* for  
LaTanya Marie Session

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**~~PROPOSED~~ ORDER**

Pursuant to the settlement agreement entered on the record and the request of Plaintiff,  
and for good cause showing,

**IT IS HEREBY ORDERED** that the request for dismissal is **GRANTED**:

1. The action and all claims and defendants are hereby dismissed with prejudice.
2. The Court will retain jurisdiction over the action for the sole purpose of enforcing the terms of the Agreement, which enforcement may be sought by any party to the Agreement by filing an *Ex Parte* Application or Noticed Motion pursuant to the Federal Rules of Civil Procedure and the Local Rules of this Court.

The Court will retain such jurisdiction only up to and including January 15, 2016.

Dated: January 15, 2013.

