

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES,

Plaintiff,

No. C 10-05283 WHA

v.

BUCKEYE ROADHOUSE RESTAURANT,
BUCKEYE ROADHOUSE, INC., and
RUDOLPH H. BUSH,

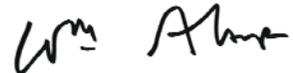
Defendants.

**ORDER REGARDING
STIPULATION OF DISMISSAL**

The parties have settled and have stipulated to dismiss this action with prejudice. The parties specifically state, however, that the settlement agreement is contingent upon the undersigned (or Magistrate Judge Laporte or another magistrate judge) retaining jurisdiction to enforce the settlement agreement, with no date by which such proposed jurisdiction would terminate. This order will not approve of such provision, and would only approve retaining jurisdiction for up to ninety days to enforce the settlement agreement. As the dismissal appears to be contingent upon the jurisdiction provision, the assigned judge cannot instruct the Clerk to close the case pursuant to a FRCP 41(a)(1) dismissal signed by both sides, as he otherwise would. This case shall remain open, and the parties may either file a renewed dismissal (without the offending provision) or continue to litigate this case.

IT IS SO ORDERED.

Dated: July 7, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE