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4 Attorneys for Plaintiff
 RICHARD SKAFF

5 UNITED STATES DISTRICT COURT
 6 NORTHERN DISTRICT OF CALIFORNIA

7 RICHARD SKAFF

CASE NO. C 10-05296 CRB

8 Plaintiff,

Civil Rights

9 V.

10 BLAKE'S RESTAURANT GROUP,
 11 LLC, dba BRICK & BOTTLE;
 IJ MARKETPLACE, LLC; RIELLY
 12 MARKETPLACE, LLC; FAIR
 OAKS MARKETPLACE, LLC;
 13 ROSEVILLE MARKETPLACE,
 LLC; and DOES 1-25, Inclusive,

**STIPULATION AND ORDER
 FOR DISMISSAL OF THE
 DAMAGES AND ATTORNEY'S
 FEES, LITIGATION EXPENSES,
 AND COSTS ASPECTS OF THE
 LAWSUIT AGAINST BLAKE'S
 RESTAURANT GROUP, LLC, dba
 BRICK & BOTTLE ONLY**

14 Defendants.

15 _____/ FRCP section 41

16 Plaintiff Richard Skaff and Defendant Blake's Restaurant Group, LLC,
 17 dba Brick & Bottle, by and through their attorneys of record, enter into this
 18 "STIPULATION AND ORDER FOR DISMISSAL OF THE DAMAGES AND
 19 ATTORNEY'S FEES, LITIGATION EXPENSES, AND COSTS ASPECTS OF
 20 THE LAWSUIT AGAINST BLAKE'S RESTAURANT GROUP, LLC, dba
 21 BRICK & BOTTLE ONLY" pursuant to Federal Rule of Civil Procedure section
 22 41.

23 Plaintiff filed this lawsuit on November 23, 2010.

24 Plaintiff and Defendant BLAKE'S RESTAURANT GROUP, LLC,
 25 dba BRICK & BOTTLE previously have settled the injunctive relief aspect of
 26 the lawsuit between them, and the Court has dismissed with prejudice the
 27 injunctive relief aspect of the lawsuit against Defendant BLAKE'S
 28

1 RESTAURANT GROUP, LLC, dba BRICK & BOTTLE (Docket item 20).

2 Plaintiff and Defendant BLAKE’S RESTAURANT GROUP,
3 LLC, dba BRICK & BOTTLE have entered into a “Mutual Release And
4 Settlement Agreement For Damages And Attorney’s Fees, Litigation Expenses,
5 And Costs” which settles the damages and attorney’s fees, litigation expenses,
6 and costs aspects of the lawsuit against Defendant BLAKE’S RESTAURANT
7 GROUP, LLC, dba BRICK & BOTTLE.

8 Plaintiff moves to dismiss with prejudice the damages and attorney’s fees,
9 litigation expenses, and costs aspects of the lawsuit against Defendant
10 BLAKE’S RESTAURANT GROUP, LLC, dba BRICK & BOTTLE only.

11 Defendant BLAKE’S RESTAURANT GROUP, LLC, dba BRICK &
12 BOTTLE, who has answered the complaint, agrees to the dismissal with prejudice
13 of the damages and attorney’s fees, litigation expenses, and costs aspect of the
14 lawsuit as to it only.

15 This case is not a class action, and no receiver has been appointed.

16 This Stipulation and Order may be signed in counterparts, and facsimile or
17 electronically transmitted signatures shall be as valid and as binding as original
18 signatures.

19 Wherefore, Plaintiff and Defendant BLAKE’S RESTAURANT GROUP,
20 LLC, dba BRICK & BOTTLE, by and through their attorneys of record, so
21 stipulate.

22 Date: 6/25/12

SIDNEY J. COHEN
PROFESSIONAL CORPORATION

/s/ Sidney J. Cohen

Sidney J. Cohen
Attorney for Plaintiff
Richard Skaff

26 //
27 //

1 Date: 6/18/12

GORDON & REES

2 /s/ Kevin Whittaker

3 Kevin Whittaker
4 Attorney for Defendant Blake's
5 Restaurant Group, LLC. dba
6 Brick & Bottle

7 PURSUANT TO STIPULATION OF THE PARTIES, IT IS SO ORDERED:

8 The damages and attorney's fees, litigation expenses, and costs aspects of
9 the lawsuit as against Defendant BLAKE'S RESTAURANT GROUP, LLC, dba
10 BRICK & BOTTLE only is dismissed with prejudice.

11 Date: June 28, 2012

12 Charles R. Breyer
13 United States District Judge

