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 10 NOBLE A.E.W. VINEYARD CREEK, LLC,
 dba HYATT VINEYARD CREEK,
 11 BRASSERIE RESTAURANT and
 CITY OF SANTA ROSA

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16 Attorneys for Plaintiff

17
 18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA

20
 21 EDWARD MUEGGE,

22 Plaintiff,

23 v.

24 HYATT VINEYARD CREEK; NOBLE
 A.E.W. VINEYARD CREEK, LLC; CITY OF
 25 SANTA ROSA; BRASSERIE
 RESTAURANT; and DOES 1 through 50,
 26 inclusive,

27 Defendants.
 28

Case No. 3:10 CV 05403 JSW

**STIPULATION AND ORDER FOR
 DISMISSAL WITH PREJUDICE OF
 DEFENDANTS NOBLE A.E.W.
 VINEYARD CREEK, LLC, DBA
 HYATT VINEYARD CREEK,
 BRASSERIE RESTAURANT and CITY
 OF SANTA ROSA**

1 Plaintiff EDWARD MUEGGE and defendants NOBLE A.E.W. VINEYARD CREEK,
2 LLC, dba HYATT VINEYARD CREEK, BRASSERIE RESTAURANT and CITY OF SANTA
3 ROSA by and through their attorneys of record, file this Stipulation of Dismissal pursuant to
4 Federal Rule of Civil Procedure section 41.

5 Plaintiff filed this lawsuit on November 29, 2010.

6 Plaintiff and defendants have entered into a "Settlement Agreement and Release" that
7 settles all aspects of the lawsuit against all defendants. A copy of the "Settlement Agreement and
8 Release" is incorporated by reference herein as if set forth in full. The "Settlement Agreement
9 and Release" states in part that the Parties will "request that the Court will request that the Court
10 retain jurisdiction to enforce this Agreement." Plaintiff and defendants stipulate to the Court
11 retaining jurisdiction to enforce the "Settlement Agreement and Release."

12 Plaintiff moves to dismiss with prejudice the lawsuit against defendants NOBLE A.E.W.
13 VINEYARD CREEK, LLC, dba HYATT VINEYARD CREEK, BRASSERIE RESTAURANT
14 and CITY OF SANTA ROSA. Defendants NOBLE A.E.W. VINEYARD CREEK, LLC, dba
15 HYATT VINEYARD CREEK, BRASSERIE RESTAURANT and CITY OF SANTA ROSA,
16 who have answered the Complaint, agree to the dismissal with prejudice.

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

18 This Stipulation and Order may be signed in counterparts, and electronic and facsimile
19 signatures shall be as valid and as binding as original signatures.

20 Wherefore, plaintiff and defendants, by and through their attorneys of record, so stipulate.

21
22 DATED: January 2, 2013

SEYFARTH SHAW LLP

23
24 By /s/ Kristina M. Launey
25 Kristina M. Launey
26 Minh N. Vu (*admitted pro hac vice*)
27 Attorneys for Defendants
28 NOBLE A.E.W. VINEYARD CREEK, LLC,
DBA HYATT VINEYARD CREEK, AND
BRASSERIE RESTAURANT and CITY OF
SANTA ROSA

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DATED: January 2, 2013

THIMESCH LAW OFFICES

By /s/ Timothy S. Thimesch
Timothy S. Thimesch
Attorneys for Plaintiff

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

The lawsuit against defendants NOBLE A.E.W. VINEYARD CREEK, LLC, dba
HYATT VINEYARD CREEK, BRASSERIE RESTAURANT and CITY OF SANTA ROSA is
dismissed with prejudice. The Court shall retain jurisdiction to enforce the parties' "Release
And Settlement Agreement."

Dated: January 3, 2013, ~~2012~~



Hon. Jeffrey S. White
United States District Judge