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5 Attorney For Plaintiff CRAIG YATES, an individual

6
 7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA
 9

10 CRAIG YATES, an individual,
 11 Plaintiff,
 12
 13 v.
 14 CHOUQUET'S; JOHN HEALY; SARAH
 HEALY; MARTIN HEALY; EVELYN C.
 15 HEALY; and FREMI CORPORATION, a
 16 California Corporation dba
 CHOUQUET'S,
 17 Defendants.
 18

CASE NO. CV-11-1572-JCS

STIPULATION OF DISMISSAL AND
 [PROPOSED] ORDER THEREON

20
 21 The parties, by and through their respective counsel, stipulate to dismissal of this action
 22 in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2). Outside of the terms of the
 23 Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own
 24 costs and attorneys' fees. The parties further consent to and request that the Court retain
 25 jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511
 26 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of
 27 settlement agreements).
 28

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action become and hereby is dismissed with
3 prejudice pursuant to Federal Rules of Civil Procedure 41(a)(2).

4 This stipulation may be executed in counterparts, all of which together shall constitute
5 one original document.

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7 Dated: June 26, 2012

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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10 By: /s/ Thomas E. Frankovich
11 Thomas E. Frankovich
12 Attorney for DAREN HEATHERLY and IRMA
13 RAMIREZ, each an individual

14
15 Dated: 8-31, 2012

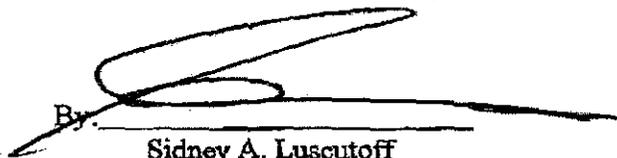
BLEDSON, CATHCART, DIESTEL, PEDERSEN
& TREPPA

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18 By: 
19 James M. Treppa
20 Attorney for Defendants JOHN HEALY; SARAH
21 HEALY; MARTIN HEALY; EVELYN C. HEALY;
22 and

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1 Dated: 10/26, 2012

LUSCUTOFF, LENDORMY & ASSOCIATES

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3
4 By: 

5 Sidney A. Luscutoff
6 Attorneys for Defendants FREMI CORPORATION,
7 a California Corporation dba CHOUQUET'S,

8 **ORDER**

9 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
10 Fed.R.Civ.P.41(a)(2). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the
11 purpose of enforcing the parties' Settlement Agreement and General Release should such
12 enforcement be necessary

13 Dated: 12/5, 2012

14 
15 Honorable Judge Joseph C. Spero
16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
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