

1 THIMESCH LAW OFFICES  
2 TIMOTHY S. THIMESCH, SBN 148213  
3 tim@thimeschlaw.com  
4 158 Hilltop Crescent  
5 Walnut Creek, CA 94597-3452  
6 Telephone: (925) 588-0401  
7 Facsimile: (888) 210-8868

8 Attorneys for Plaintiff  
9 CRAIG YATES

10 HANSON BRIDGETT LLP  
11 MICHELE TRAUSCH, SBN 75145  
12 mtrausch@hansonbridgett.com  
13 KURT A. FRANKLIN, SBN 172715  
14 kfranklin@hansonbridgett.com  
15 425 Market Street, 26th Floor  
16 San Francisco, California 94105  
17 Telephone: (415) 777-3200  
18 Facsimile: (415) 541-9366

19 Attorneys for CONGREGATION SHERITH  
20 ISRAEL, CONRAD DONNER, SANDRA  
21 DONNER, EDWARD A. KOPLOWITZ,  
22 DIANE SAMPSON, CHILDREN'S BRAIN  
23 DISEASE FOUNDATION

24 BERRY & BLOCK LLP  
25 BRIAN CRONE, SBN 191731  
26 bcrone@berryblock.com  
27 ERICK C. TURNER, SBN 236186  
28 2150 River Plaza Drive, Suite 415  
Sacramento, CA 95833  
Telephone: (916) 564-2000  
Facsimile: (916) 564-2024

Attorneys for Defendant  
WALGREEN CO.

LITTLER MENDELSON  
JOHN M. JULIUS, III, SBN 112640  
JJJulius@littler.com  
501 W. Broadway, Suite 900  
San Diego, California 92101-3577  
Telephone: (619) 515-1820

Attorneys for Defendant  
ROSS STORES, INC.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES

Plaintiff,

v.

ROSS STORES, INC.; WALGREEN CO.;  
CONGREGATION SHERITH ISRAEL;  
ST.ANTHONY FOUNDATION; CONRAD  
DONNER; SANDRA DONNER; EDWARD  
A. KOPLOWITZ; DIANE SAMPSON;  
CAESAR CHURCHWELL; TEAM SAN  
FRANCISCO PIZZA, LLC; STAN  
ILUSHKIN; AND DOES 1 through 50,  
Inclusive,

Defendants.

Case Number C11-04347 EDL

**STIPULATION OF DISMISSAL OF  
ACTION WITH PREJUDICE AND  
PROPOSED ORDER**

Action Filed; August 31, 2011

Plaintiff Craig Yates and Defendants Ross Stores, Inc., Walgreen Co.,  
Congregation Sherith Israel, Conrad Donner, Sandra Donner, Edward A. Koplowitz,  
Diane Sampson, and Team San Francisco Pizza, LLC (collectively "Defendants"), by  
and through their attorneys of record, file this Stipulation and Order of Dismissal with  
Prejudice pursuant to Federal Rule of Civil Procedure sections 41(a)(1) and (2).

Plaintiff filed this lawsuit on August 31, 2011.

Plaintiff and Defendants have entered into a "Settlement Agreement and Mutual  
Release" which settles all aspects of the lawsuit against Defendants without admission by  
any party of wrongdoing, liability, or fault. The Settlement Agreement and Mutual  
Release attached hereto as Exhibit 1 states in part that it is contingent upon the Court, or  
Magistrate Judge Elizabeth Laporte or other designated magistrate accepting jurisdiction  
to interpret and enforce the Settlement Agreement and Mutual Release.

1 Plaintiff and Defendants Stipulate to the Court retaining jurisdiction to enforce the  
2 "Settlement Agreement and Mutual Release."

3 Plaintiff moves to dismiss with prejudice the lawsuit against Defendants pursuant  
4 to FRCP 41(a)(1) and (2). Each side shall pay its own attorneys' fees and costs except  
5 as expressly set forth or otherwise provided for or permitted in the Settlement Agreement  
6 and Mutual Release.

7 Defendants, who have answered the complaint, agree to the dismissal with  
8 prejudice.

9 The case is not a class action, and no receiver has been appointed.

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

12 Wherefore, Plaintiff and Defendants, by and through their attorneys of record, so  
13 stipulate.

14 DATED: 11/7, 2011

THIMESCH LAW OFFICES

By: 

TIMOTHY S. TIMESCH  
Attorneys for Plaintiff  
CRAIG YATES

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: Nov. 2, 2011

HANSON BRIDGETT LLP

By: Michele K. Trausch  
MICHELE TRAUSCH  
KURT A. FRANKLIN  
Attorneys for CONGREGATION SHERITH  
ISRAEL, CONRAD DONNER, SANDRA  
DONNER, EDWARD A. KOPLOWITZ, DIANE  
SAMPSON and CHILDREN'S BRAIN  
DISEASE FOUNDATION

DATED: \_\_\_\_\_, 2011

BERRY & BLOCK LLP

By: \_\_\_\_\_  
BRIAN CRONE  
ERICK C. TURNER  
Attorneys for Defendant  
WALGREEN CO.

DATED: \_\_\_\_\_, 2011

LITTLER MENDELSON

By: \_\_\_\_\_  
JOHN M. JULIUS, III  
Attorneys for Defendant  
ROSS STORES, INC.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28


DATED: \_\_\_\_\_, 2011

HANSON BRIDGETT LLP

By: \_\_\_\_\_  
MICHELE TRAUSCH  
KURT A. FRANKLIN  
Attorneys for CONGREGATION SHERITH  
ISRAEL, CONRAD DONNER, SANDRA  
DONNER, EDWARD A. KOPLOWITZ, DIANE  
SAMPSON and CHILDREN'S BRAIN  
DISEASE FOUNDATION

DATED: 11/7, 2011

BERRY & BLOCK LLP

By:  \_\_\_\_\_  
BRIAN CRONE  
ERICK C. TURNER  
Attorneys for Defendant  
WALGREEN CO.

DATED: \_\_\_\_\_, 2011

LITTLER MENDELSON

By: \_\_\_\_\_  
JOHN M. JULIUS, III  
Attorneys for Defendant  
ROSS STORES, INC.

1 DATED: \_\_\_\_\_, 2011

HANSON BRIDGETT LLP

2

By: \_\_\_\_\_

MICHELE TRAUSCH  
KURT A. FRANKLIN  
Attorneys for CONGREGATION SHERITH  
ISRAEL, CONRAD DONNER, SANDRA  
DONNER, EDWARD A. KOPLOWITZ, DIANE  
SAMPSON and CHILDREN'S BRAIN  
DISEASE FOUNDATION

3

4

5

6

7

8

9

10 DATED: \_\_\_\_\_, 2011

BERRY & BLOCK LLP

11

12

By: \_\_\_\_\_

BRIAN CRONE  
ERICK C. TURNER  
Attorneys for Defendant  
WALGREEN CO.

13

14

15

16

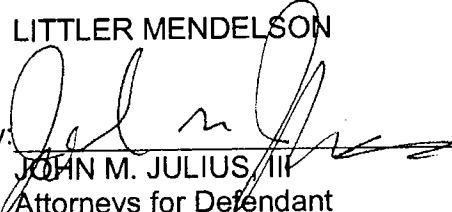
17 DATED: Nov. 2, 2011

LITTLER MENDELSON

18

19

By: \_\_\_\_\_

  
JOHN M. JULIUS, III  
Attorneys for Defendant  
ROSS STORES, INC.

20

21

22

23

24

25

26

27

28

1 PURSUANT TO STIPULATION, IT IS SO ORDERED,

2 The lawsuit against Defendants is dismissed with prejudice. The Court shall retain  
3 jurisdiction to enforce the parties' "Settlement Agreement and Mutual Release." Each  
4 side shall pay its own attorneys' fees and costs except as expressly set forth or otherwise  
5 provided for or permitted in the Settlement Agreement and Mutual Release.

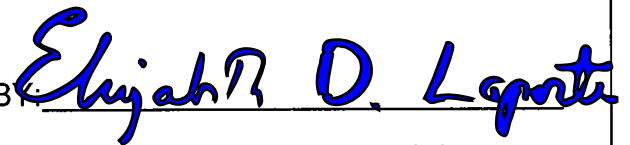
6

7 DATED: November 14, 2011

8

9

10

BY: 

11

Magistrate Judge Elizabeth Laporte

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28