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5 Attorney for Plaintiff,

6
 7 UNITED STATES DISTRICT COURT
 8 DISTRICT OF CALIFORNIA

9 CRAIG YATES, an individual,

CASE NO. CV-11-4966-JCS

10
11 Plaintiff,

STIPULATION OF DISMISSAL OF
ACTION WITH PREJUDICE

12 v.

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 14 BILL'S PLACE; RONALD J. MIGUEL
 and RUTH I. MIGUEL, trustees of the
 15 RONALD J. and RUTH I. MIGUEL 1991
 REVOCABLE TRUST; and DON D.
 16 DURHAM, an individual dba BILL'S
 PLACE

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

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28 STIPULATION OF DISMISSAL OF ACTION WITH PREJUDICE

CASE No. CV-11-4966-JCS

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

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

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9 Dated: February 21, 2013

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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By: /s/ Thomas E. Frankovich
Thomas E. Frankovich
Attorney for CRAIG YATES, an individual

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15 Dated: February 21, 2013

JASON G. GONG, ESQ.
LAW OFFICE OF JASON G. GONG

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By: /s/ Jason G. Gong
Jason G. Gong
Attorneys for Defendants RONALD J. MIGUEL
and RUTH I. MIGUEL, trustees of the RONALD J.
and RUTH I. MIGUEL 1991 REVOCABLE
TRUST; and DON D. DURHAM, an individual dba
BILL'S PLACE

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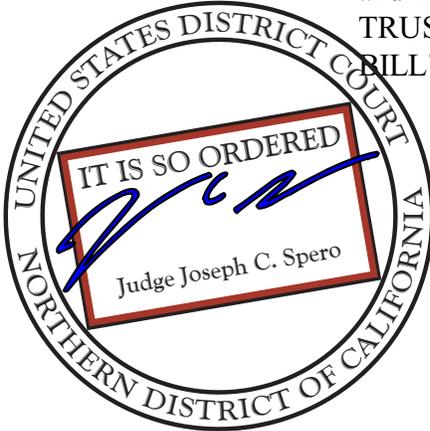
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23 Dated: 5/16/13



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