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IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

WESTMINSTER HOUSE, LLC, a  
 Delaware limited liability company,

Plaintiff,

v.

FRANK JAO, an individual, and HAI  
 NGOC DINH, an individual,

Defendants.

No. C 12-02026 WHA

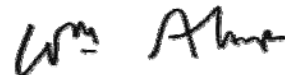
**ORDER RE STIPULATION OF  
 DISMISSAL OF DEFENDANT  
 FRANK JAO**

The Court has received the proposed stipulation of dismissal of defendant Frank Jao (Dkt. No. 86). Federal Rule of Civil Procedure 41(a)(1)(A)(ii) requires “a stipulation of dismissal signed by all parties who have appeared.” The proposed stipulation does not include the signature of defendant Hai Ngoc Dinh. Possibly, the Court would approve of dismissal under Rule 41(a)(2), and all parties are on notice that this possibility will be considered at the final pretrial conference on November 4.

In no event will the Court retain jurisdiction to enforce the settlement agreement and/or hear the motion for determination of good faith settlement without having a copy of the settlement agreement itself, and in no event would the Court retain jurisdiction for an extended period of time. Because the proposed stipulation has not been approved, all parties are required to attend the final pretrial conference.

**IT IS SO ORDERED.**

Dated: November 1, 2013.



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 WILLIAM ALSUP  
 UNITED STATES DISTRICT JUDGE