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5 Attorney For Plaintiff CRAIG YATES, an individual

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 8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF CALIFORNIA
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11 CRAIG YATES, an individual

12 Plaintiffs,

13 v.

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 15 LEE’S SANDWICHES; GOLDEN MCM
 INVESTMENT LLC; and MCM
 16 INVESTMENTS, INC., a California Corp
 dba LEE’S SANDWICHES
 17

18 Defendants.

CASE NO. 3:13- cv-00931 EMC- EDL)

**STIPULATION OF DISMISSAL
 AND [PROPOSED] ORDER
 THEREON**

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

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

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

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8 Dated: December 23, 2014

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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10 By: /s/ Thomas E. Frankovich
11 Thomas E. Frankovich
12 Attorney for Plaintiff CRAIG YATES

13 Dated: December 23, 2014

MICHAEL WELCH + ASSOCIATES

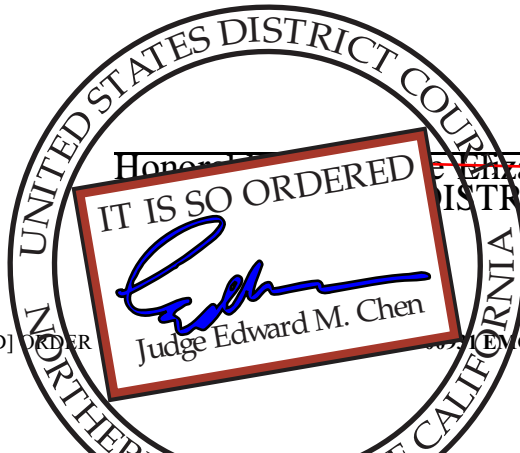
Signature approved

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15 By: /s/ Michael D. Welch
16 Michael D. Welch
17 Attorney for Defendants GOLDEN MCM
18 INVESTMENT LLC; and MCM INVESTMENTS,
19 INC., a California Corp dba LEE'S SANDWICHES

20 **ORDER**

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

25 Dated: 1/9/15, 2014



26
27 Honorable ~~Elizabeth D. Laporte~~
28 DISTRICT JUDGE

Edward
M. Chen