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5 Attorney For Plaintiffs, DAREN HEATHERLY  
and IRMA RAMIREZ, each an individual,  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 IRMA RAMIREZ and DAREN )  
11 HEATHERLY, )  
12 Plaintiffs, )  
13 v. )  
14 EL DELFIN; ALICE K. WAUGH; JEFF )  
15 WAUGH; LYRA J. HUTCHINS; and )  
16 JOSE JORGE SARABIA, an individual )  
17 dba EL DELFIN )  
18 Defendants. )  
19

CASE NO. CV-11-4868-MEJ

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 Kokonon v. Guardian Life Ins. Co., 511  
26 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of  
27 settlement agreements).  
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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.

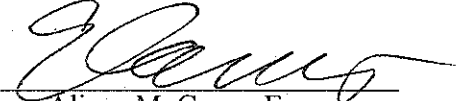
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7 Dated: August 29, 2013

THOMAS E. FRANKOVICH  
A PROFESSIONAL LAW CORPORATION

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9 By: /s/ Thomas E. Frankovich  
Thomas E. Frankovich  
10 Attorney for IRMA RAMIREZ and DAREN  
HEATHERLY.

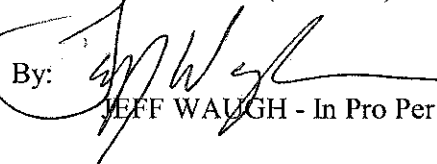
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12  
13 Dated: August 30, 2013

BLEDSOE, CATHCART, DIESTEL &  
PEDERSON

14  
15 By:   
Alison M. Crane, Esq.  
16 Errol C. Daus  
17 Attorneys for Defendant JOSE JORGE SARABIA,  
an individual dba EL DELFIN

18  
19 Dated: 9/27/, 2013

JEFF WAUGH - Pro Per  
ALICE K. WAUGH (deceased)

20  
21 By:   
JEFF WAUGH - In Pro Per

22  
23  
24 Dated:                   , 2013

LYRA J. HUTCHINS- Pro Per

25 9-27-13

26 By:   
27 LYRA J. HUTCHINS- In Pro Per

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**ORDER**

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

Dated: 9/27/2013, 2013



Honorable Magistrate Maria-Elena James  
UNITED STATE DISTRICT JUDGE