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5 Attorney For Plaintiffs , DAREN HEATHERLY;
 6 and IRMA RAMIREZ

7
 8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF CALIFORNIA

11 DAREN HEATHERLY; and IRMA
 12 RAMIREZ
 13 Plaintiffs,
 14 v.
 15 KRB GROUP, INC., a California
 16 Corporation dba VILLAGE MARKET; and
 17 ROBERT F.G. TOY and BEVERLY G.
 18 TOY, Trustees of the TOY FAMILY
 REVOCABLE TRUST, U/A/D 7/13/91
 19 Defendants.
 20

CASE NO.13:13-cv-03396-NC

**STIPULATION OF DISMISSAL
 AND ~~PROPOSED~~ ORDER
 THEREON**

21
 22 The parties, by and through their respective counsel, stipulate to dismissal of this action
 23 in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2). Outside of the terms of the
 24 Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own
 25 costs and attorneys’ fees. The parties further consent to and request that the Court retain
 26 jurisdiction over 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 enforcement of
 28 settlement agreements).

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.

6
7 Dated: February 24, 2015

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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

12 Dated: February 24, 2015

LAW OFFICES OF JASON G. GONG
A Professional Corporation

13
14 By: /s/ Jason Gong
15 Jason G. Gong
16 Attorney for Defendants KRB GROUP, INC., a
17 California Corporation dba VILLAGE MARKET;
18 and ROBERT F.G. TOY and BEVERLY G. TOY,
19 Trustees of the TOY FAMILY REVOCABLE
20 TRUST, U/A/D 7/13/91

21 **ORDER**

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

26 Dated: February 24, 2015

27
28 Honorable Nathanael M. Cousins
United States Magistrate Judge

