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10 Attorneys for Defendant

11 UNITED STATES DISTRICT COURT

12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 AUTOMOTIVE INDUSTRIES PENSION  
 TRUST FUND, JAMES H. BENO, Trustee,  
 14 STEPHEN J. MACK, Trustee, DON  
 CROSATTO, Trustee, DOUG CORNFORD,  
 15 Trustee, JOHN DI BERNARDO, Trustee,  
 JOSE SANTANA, Trustee, and JAMES  
 16 SCHWANTZ, Trustee, SCOTT PAGTER,  
 Trustee,

17 Plaintiffs,

18 v.

19 EDWARD R. BACON COMPANY, INC., a  
 California corporation, and DOES 1-20,

20 Defendants.  
 21

Case No. CV 15-02685 LB

**STIPULATION FOR VOLUNTARY  
 DISMISSAL WITH PREJUDICE;  
 [PROPOSED] ORDER THEREON**

22 IT IS HEREBY STIPULATED by the parties to this action, through their respective  
 23 counsel, that pursuant to the Settlement Agreement between the parties dated July 21, 2016  
 24 ("Settlement Agreement"), which is expressly incorporated by reference into this Stipulation for  
 25 Voluntary Dismissal With Prejudice, this Court dismiss this action with prejudice, with all  
 26 parties to bear their own costs and attorneys' fees, and retain jurisdiction over this matter to  
 27 enforce the Settlement Agreement should any action be required to enforce the Settlement  
 28 Agreement after the dismissal is entered by the Court.

STIPULATION FOR VOLUNTARY DISMISSAL  
 [PROPOSED ORDER]; CASE NO. CV 15-2685 LB

1 IT IS SO STIPULATED.

2 Dated: August 1, 2016

SALTZMAN & JOHNSON LAW CORPORATION

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By: /S/ Anne M. Bevington  
Anne M. Bevington  
Attorneys for Plaintiffs

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6 Dated: August 1, 2016

HOPKINS & CARLEY

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By: /S/ Eugene Ashley  
Eugene Ashley  
Attorneys for Defendant

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CERTIFICATION RE SIGNATURES

10 I attest that concurrence in the filing of this document has been obtained from the other  
11 Signatory.

12 Dated: August 1, 2016

/S/ Anne M. Bevington  
ANNE M. BEVINGTON

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**ORDER**

16 Pursuant to the parties' Stipulation and Settlement Agreement, the terms and conditions  
17 of which are fully incorporated herein by this reference, and good cause appearing:

18 IT IS HEREBY ORDERED that this matter is dismissed with prejudice, the parties to  
19 bear their own costs and attorneys' fees.

20 IT IS FURTHER ORDERED that this Court shall expressly retain jurisdiction over this  
21 matter to enforce the Settlement Agreement should any action be required to enforce the  
22 Settlement Agreement after the dismissal with prejudice is entered by the Court. See generally  
23 *Kokkonen v. Guardian Life Ins. Co. of America*, 511 US 357, 381 (1994); *Hagestad v. Tragesser*,  
24 49 F.3rd 1430, 1433 (9th Cir. 1995).

25 IT IS SO ORDERED.

26 Dated: August 2, 2016

  
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HON. LAUREL BEELER  
UNITED STATES MAGISTRATE JUDGE

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STIPULATION FOR VOLUNTARY DISMISSAL  
[PROPOSED ORDER]; CASE NO. CV 15-2685 LB