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10
 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13 **San Francisco**

14 MALIBU MEDIA, LLC,

15 Plaintiff,

16 vs.

17 JOHN DOE subscriber assigned IP address
 18 50.184.78.98,

19 Defendant.

Case Number: 3:16-cv-00999-WHA

**STIPULATION OF DISMISSAL
 RETAINING JURISDICTION TO
 ENFORCE TERMS OF SETTLEMENT;
 [PROPOSED] ORDER**

As modified

20
 21 Plaintiff Malibu Media, LLC and Defendant John Doe subscriber assigned IP address
 22 50.184.78.98, by their undersigned counsel, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules
 23 of Civil Procedure, hereby stipulate that all claims asserted against each other in this matter are
 24 hereby dismissed without prejudice.
 25

26 Plaintiff and Defendant John Doe subscriber assigned IP address 50.184.78.98 settled this
 27 matter on or about February 21, 2017;
 28

1 The settlement agreement between Plaintiff and Defendant call for payment of settlement
2 funds on or before April 3, 2017;

3 Plaintiff and Defendant John Doe subscriber assigned IP address 50.184.78.98
4 respectfully request that this Court enter an order dismissing without prejudice all Plaintiff's and
5 Defendant John Doe subscriber assigned IP address 50.184.78.98's claims and counter-claims
6 against each other, with each party to bear its own attorneys' fees and costs;

7
8 Plaintiff and Defendant further request that this Court retain jurisdiction to enforce the
9 terms of the settlement;

10 Unless enforcement proceedings are pending, Plaintiff and Defendant stipulate that this
11 case can be dismissed with prejudice on or after April 7, 2017;

12 Consistent herewith Plaintiff and Defendant consent to the Court having its case closed
13 for administrative purposes.

14
15 Respectfully submitted,

16 /s/ Henrik Mosesi
17 Henrik Mosesi, Esq.
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23 Attorney for Plaintiff

16 /s/ Jonathan Black
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23 **CERTIFICATE OF SERVICE**


24 I hereby certify that on March 2, 2017, I electronically filed the foregoing document with
25 the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and
26 interested parties through this system.

27 By: /s/ Henrik Mosesi
28 Henrik Mosesi

1 The Court having considered the stipulation of the parties, and good cause appearing
2 therefor, orders the following:

- 3 1. The complaint and counter-claim is dismissed without prejudice pursuant to
4 FRCP 41(a)(1)(A)(ii);
- 5 2. Each party to bear their own costs and attorney's fees;
- 6 3. The Court shall retain jurisdiction over this matter to enforce the terms of the
7 settlement agreement; for six months.
- 8 4. Unless proceedings to enforce the terms of the settlement agreement are
9 pending, this case will be treated for all purposes as dismissed with prejudice
10 after April 7, 2017, without further order of court.
11

12
13 Date: March 7, 2017.



United States District Judge