

1 DANIELLE OCHS, State Bar No. 178677
 danielle.ochs@ogletree.com
 2 ZACHARY W. SHINE, State Bar No. 271522
 zachary.shine@ogletree.com
 3 OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
 Steuart Tower, Suite 1300
 4 One Market Plaza
 San Francisco, CA 94105
 5 Telephone: 415.442.4810
 Facsimile: 415.442.4870

6 Attorneys for Defendant
 7 MARCH OF DIMES FOUNDATION

8
 9 SONYA L. SMALLETS, State Bar No. 226190
 sonya@minnisandsmallets.com
 10 AARON P. MINNIS, State Bar No. 202935
 SEAN D. MCHENRY, State Bar No. 284175
 11 MINNIS & SMALLETS LLP
 369 Pine Street, Suite 500
 12 San Francisco, CA 94104
 Telephone: 415.551.0885
 13 Facsimile: 415.683.7157

14 Attorneys for Plaintiff
 MARGUERITE MAZZITTI

15
 16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**

18 MARGUERITE MAZZITTI,

19 Plaintiff,

20 vs.

21 MARCH OF DIMES FOUNDATION; and
 22 DOES 1 through 10,

23 Defendants.

Case No. 3:16-cv-03781-JST

**STIPULATION AND ~~PROPOSED~~
 ORDER RE: DISMISSAL OF ENTIRE
 ACTION WITH PREJUDICE**

Action Filed: May 24, 2016

24
 25
 26
 27
 28

1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Marguerite Mazzitti
2 (“Plaintiff”) and Defendant March of Dimes Foundation (“MOD”) (collectively “the Parties”), by
3 and through their respective counsel of record, stipulate and request that the entire above-captioned
4 action be dismissed with prejudice, with each side to bear its own costs and fees. The Parties
5 further stipulate and request that Judge Jon S. Tigar of the United States District Court for the
6 Northern District of California or his successor retain jurisdiction to enforce the provisions of the
7 Settlement Agreement and General Release (“Agreement”) and over any matters or actions brought
8 to enforce the Agreement.
9

10 DATED: October 4, 2017

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

11
12
13 By: /s/ Zachary W. Shine
14 DANIELLE OCHS
ZACHARY W. SHINE
15 Attorneys for Defendant
16 MARCH OF DIMES FOUNDATION

17 DATED: October 4, 2107

MINNIS & SMALLETS

18
19
20 By: /s/ Sonya L. Smallets
21 SONYA SMALLETS
22 Attorneys for Plaintiff
23 MARGUERITE MAZZITTI
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SIGNATURE ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the other signatories.

DATED: October 4, 2017

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

By: /s/ Zachary W. Shine
DANIELLE OCHS
ZACHARY W. SHINE

Attorneys for Defendant
MARCH OF DIMES FOUNDATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER OF THE COURT

Pursuant to the Stipulation And [Proposed] Order by and between Plaintiff Marguerite Mazzitti and Defendant March of Dimes Foundation, and good cause appearing to the Court:

IT IS HEREBY ORDERED that the matter is dismissed with prejudice in its entirety, in accordance with the terms of the Stipulation. Each party shall bear its own fees and costs. This Court shall retain jurisdiction to enforce the provisions of the Settlement Agreement and General Release (“Agreement”) and ~~Stipulation~~ over any matters or actions brought to enforce the Agreement. *Marguerite Mazzitti v. March of Dimes Foundation*, Case No. 3:16-cv-03781-JST, is hereby dismissed.

IT SO ORDERED.

DATED: October 4, 2017



HONORABLE JON SOTIGAR
United States District Court Judge