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9 Attorney for Plaintiff  
 10 BYRON CHAPMAN

11 **UNITED STATES DISTRICT COURT**  
 12 **NORTHERN DISTRICT OF CALIFORNIA**

13 BYRON CHAPMAN,	)	<b>CASE NO. 3:17-cv-05727-RS</b>
	)	
	)	
14 Plaintiff,	)	
	)	<b>STIPULATION OF DISMISSAL AND</b>
15 v.	)	<b>[PROPOSED] ORDER THEREON</b>
	)	
16 BAECHEL CREEK INN, INC., <i>et al.</i>	)	
	)	
	)	
17 Defendants.	)	
	)	

18  
 19 The Parties, by and through their respective counsel, stipulate to dismissal of this  
 20 action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2).

21 IT IS HEREBY STIPULATED by and between parties to this action through their  
 22 designated counsel that the above-captioned action become and hereby is dismissed with  
 23 prejudice and each side is to bear its own costs and attorneys' fees.

24 The parties further consent to and request that the Court retain jurisdiction over  
 25 enforcement of the Agreement. *See Kokkonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994)  
 26 (empowering the district courts to retain jurisdiction over enforcement of settlement  
 27 agreements).  
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Dated: January 5, 2018

THOMAS E. FRANKOVICH, APLC  
*A PROFESSIONAL LAW CORPORATION*

By: /s/ Amanda Lockhart  
Amanda Lockhart  
Attorneys for Plaintiff

Dated: January 5, 2018

NEARY and O'BRIEN

By: /s/ Christopher J. Neary  
Christopher J. Neary  
Attorney for Defendants

~~proposed~~ **ORDER**

IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to Fed.R.Civ.P.41(a)(2) and each side is to bear its own costs and attorneys' fees. 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: 1/8/18



Honorable Richard Seeborg  
United States District Judge