1 JENNIFER T. SANCHEZ (191548) MARISA G. HUBER (254171) 2 MICHELLE L. TOMMEY (196166) GIBSON ROBB & LINDH LLP 3 201 Mission Street, Suite 2700 3 mission Street, Suite 2700 3 Telephone: (415) 348-6000 Facsimile: (415) 348-6001 UNITED STATES DISTRICT COURT 10 UNITED STATES DISTRICT COURT 11 NORTHERN DISTRICT OF CALIFORNIA 12 Plaintiff, 13 SY PURSUIT, her sails, tackle, appurenances, etc., in rem; and CHRISTOPHER WOLLEN, in personam, 19 Defendants. 11 Defendants. 12 ClinistopHier Wollen, 13 Counter-Cla			
2 MICHELLE L. TOMMEY (196166) GIBSON ROBB & LINDH LLP 30 Mission Street, Suite 2700 San Francisco, California 94105 Telephone: (415) 348-6000 Email: jsanchez@gibsonrobb.com momume@gibsonrobb.com 5 Email: jsanchez@gibsonrobb.com momume@gibsonrobb.com 7 Attorneys for Defendants/Counter-Claimant CHRISTOPHER WOLLEN and SY PURSUIT 9 0 10 UNITED STATES DISTRICT COURT 11 NORTHERN DISTRICT OF CALIFORNIA 12 BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, 14 Plaintiff, 15 Plaintiff, 16 v. 17 V. 18 SY PURSUIT, her sails, tackle, appurtenances, etc., in rem; and CHRISTOPHER WOLLEN, in personam, STIPULATED CONDITIONAL DISMISSAL AND ORDER 19 Defendants. 1 21 Defendants. 2 22 CHRISTOPHER WOLLEN, SVENDSEN'S BAY MARINE, Counter-Claimant, 24 v. 25 BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, Counter-Defendant. SUPONTIONAL DISMISAL AND IPROPOSED (ORDER	1		
3 201 Mission Street, Suite 2700 San Francisco, California 94105 4 Telephone: (415) 348-6000 Email: jsanchez@gibsonrobb.com mtomme@gibsonrobb.com 6 isanchez@gibsonrobb.com mtomme@gibsonrobb.com 7 Attorneys for Defendants/Counter-Claimant CHRISTOPHER WOLLEN and SYP PURSUIT 9 0 10 UNITED STATES DISTRICT COURT 11 NORTHERN DISTRICT OF CALIFORNIA 12 SYP PURSUIT 13 BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, 14 Plaintiff, 15 Plaintiff, 16 v. 17 SY PURSUIT, her sails, tackle, appurtenances, etc., in rem; and CHRISTOPHER WOLLEN, in personam, 18 SY PURSUIT, her sails, tackle, appurtenances, etc., in rem; and CHRISTOPHER WOLLEN, in personam, 12 Defendants. 13 BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, Counter-Claimant, 14 V. 15 Defendants. 16 v. 17 Defendants. 18 SY PURSUT, her sails, tackle, appurtenances, in personam, 19 Defendants. 12 Counter-Claimant, VENDSEN'S BAY MARINE, Counter-Defendant.<	2	MICHELLE L. TOMMEY (196166)	
4 Telephone: (415) 348-6000 Fassimile: (415) 348-6001 Email: jsanchez@gibsonrobb.com mhuber@gibsonrobb.com Matter@gibsonrobb.com Attorneys for Defendants/Counter-Claimant CHRISTOPHER WOLLEN and SY PURSUIT 9 10 UNITED STATES DISTRICT COURT 11 NORTHERN DISTRICT OF CALIFORNIA 12 BAY MARINE BOATWORKS, INC., dba 13 SVENDSEN'S BAY MARINE, 14 V. 15 Plaintiff, 16 v. 17 Y PURSUIT, her sails, tackle, appurtenances, etc., in rem; and CHRISTOPHER WOLLEN, in personam, 19 Defendants. 21 Defendants. 22 CHRISTOPHER WOLLEN, 23 Counter-Claimant, 24 v. 25 BAY MARINE BOATWORKS, INC., dba VENDSEN'S BAY MARINE, 26 27 28 29	3	201 Mission Street, Suite 2700	
5 Email: jsanchez@gibsonrobb.com mtomme@gibsonrobb.com 7 Attorneys for Defendants/Counter-Claimant CHRISTOPHER WOLLEN and 8 8 SY PURSUIT 9 0 10 UNITED STATES DISTRICT COURT 11 NORTHERN DISTRICT OF CALIFORNIA 12 SVENDSEN'S BAY MARINE, of the sails, tackle, appurtenances, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and CHRISTOPHER WOLLEN, in personam, counter-Claimant, etc., in rem; and christian the counter defendant. Counter-Claiman	4	Telephone: (415) 348-6000	
6 mtommey@gibsonrobb.com 7 Attorneys for Defendants/Counter-Claimant CHRISTOPHER WOLLEN and SYP PURSUIT 9 UNITED STATES DISTRICT COURT 10 UNITED STATES DISTRICT COURT 11 NORTHERN DISTRICT OF CALIFORNIA 12 Value 13 BAY MARINE BOATWORKS, INC., dba Case No. 3:20-cv-05399-WHO (DMR) and Related Case No. 20-cv-05958-JD 14 V. IN ADMIRALTY 15 Plaintiff, IN ADMIRALTY 16 v. STIPULATED CONDITIONAL DISMISSAL AND ORDER 18 SY PURSUIT, her sails, tackle, appurtenances, etc., in rem; and CHRISTOPHER WOLLEN, in personam. STIPULATED CONDITIONAL DISMISSAL AND ORDER 21 Defendants. Defendants. 22 CHRISTOPHER WOLLEN, SVENDSEN'S BAY MARINE, Counter-Claimant, Counter-Claimant, Counter-Defendant. 23 Counter-Defendant. Counter-Defendant. 24 v. Counter-Defendant. 25 BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, Counter-Defendant. Counter-Defendant. 26 CONDITIONAL DISMISSAL AND IPEOPOSED ORDER CONDITIONAL DISMISSAL AND IPEOPOSED ORDER	5	Email: jsanchez@gibsonrobb.com	
 CHRISTOPHER WOLLEN and SY PURSUIT UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, Plaintiff, v. Plaintiff, v. STIPULATED CONDITIONAL Defendants. Defendants. CHRISTOPHER WOLLEN, COUNTICONAL DISTRICT CIAIRANCE, COUNTICONAL DISMISSAL AND (PROPOSED) ORDER 	6	mhuber@gibsonrobb.com mtommey@gibsonrobb.com	
9 UNITED STATES DISTRICT COURT 11 NORTHERN DISTRICT OF CALIFORNIA 12 Case No. 3:20-cv-05399-WH0 (DMR) and Related Case No. 20-cv-05958-JD 13 BAY MARINE BOATWORKS, INC., dba Case No. 3:20-cv-05399-WH0 (DMR) and Related Case No. 20-cv-05958-JD 14 Plaintiff, In Admiral TY 15 Plaintiff, In Admiral TY 16 v. STIPULATED CONDITIONAL 17 v. Defendants. 18 SY PURSUIT, her sails, tackle, appurtenances, etc., in rem; and CHRISTOPHER WOLLEN, in personam, STIPULATED CONDITIONAL 12 Defendants. Defendants. 13 Counter-Claimant, v. 14 v. SAY MARINE BOATWORKS, INC., dba 15 DAY MARINE BOATWORKS, INC., dba VENDSEN'S BAY MARINE, 16 v. Counter-Defendant. 17 V. Stephosen's BAY MARINE, 18 Counter-Defendant. V. 17 V. Stephosen's BAY MARINE, 18 Counter-Defendant. V. 17 VINDAUL DISMISSAL AND IPROFOSEDI ORDER		CHRISTOPHER WOLLEN and	
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14 IN ADMIRALTY 15 Plaintiff, 16 v. 17 V. 18 SYY PURSUIT, her sails, tackle, appurtenances, etc., in rem; and CHRISTOPHER WOLLEN, in personam, 19 Defendants. 20 Defendants. 21 ChRISTOPHER WOLLEN, 23 Counter-Claimant, 24 v. 25 BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, 26 Counter-Defendant. 27 Counter-Defendant.	13		
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 <i>in personam</i>, Defendants. CHRISTOPHER WOLLEN, Counter-Claimant, v. BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, Counter-Defendant. 	18	<i>S/Y PURSUIT</i> , her sails, tackle, appurtenances,	
21 Defendants. 22 CHRISTOPHER WOLLEN, 23 Counter-Claimant, 24 v. 25 BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, 26 Counter-Defendant. 27	19		
 21 22 CHRISTOPHER WOLLEN, 23 Counter-Claimant, 24 v. 25 BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, 26 Counter-Defendant. 27 28 CONDITIONAL DISMISSAL AND [PROPOSED] ORDER 	20	Defendente	
 23 Counter-Claimant, 24 v. 25 BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, 26 Counter-Defendant. 28 	21		
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 25 BAY MARINE BOATWORKS, INC., dba SVENDSEN'S BAY MARINE, 26 Counter-Defendant. 28 CONDITIONAL DISMISSAL AND [PROPOSED] ORDER 	23	Counter-Claimant,	
26 27 28 Conditional dismissal and [PROPOSED] ORDER	24	v.	
26 27 28 Conditional dismissal and [PROPOSED] ORDER	25		
27 28 CONDITIONAL DISMISSAL AND [PROPOSED] ORDER	26		
CONDITIONAL DISMISSAL AND [PROPOSED] ORDER	27		
CONDITIONAL DISMISSAL AND [PROPOSED] ORDER	28		1
		CONDITIONAL DISMISSAL AND [PROPOSED] ORDER Case No. 3:20-cv-05399 WHO; Our File No. 4800.26	

1	WHEREAS, Plaintiff and Counter-Defendant Bay Marine Boatworks, Inc. dba Svendsen's	
2	Bay Marine ("Svendsen's") and Defendant and Counter-Claimant Christopher Wollen ("Wollen")	
3	have reached a settlement that provides for dismissal of this entire action and the related case with	
4	prejudice conditioned on the Court issuing an order not only retaining jurisdiction to enforce the	
5	terms of the settlement but vacating its prior order providing for the arrest and appointment of a	
6 7	substitute custodian for the vessel <i>S/Y PURSUIT</i> (the "Arrest").	
8	NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:	
9	1. The order of Arrest of the S/Y PURSUIT be vacated;	
10	2. Subject to the Court's entry of an order retaining jurisdiction through June18, 2021, to	
11	enforce the terms of the Parties' Settlement Agreement, pursuant to F.R.C.P 41(a)(2), the Parties	
12		
13	dismiss their Complaint and Counter-Claim in this Action with prejudice and Wollen dismisses his	
14	Complaint in the related action with prejudice, with each party bearing their own attorney's fees	
15	and costs.	
16	Dated: February 16, 2021GIBSON ROBB & LINDH LLP	
17		
18 19	/s/ JENNIFER TOMLIN SANCHEZ Jennifer Tomlin Sanchez	
20	jsanchez@gibsonrobb.com Attorneys for Defendants/Counter-Claimant	
21	CHRISTOPHER WOLLEN and S/Y PURSUIT	
22		
23	Dated: February 16, 2021KENNEDYS CMK LLP	
24	/s/ JONATHAN W. THAMES Jonathan W. Thames	
25	Jonathan.Thames@kennedyslaw.com Attorneys for Plaintiff/Counter-Defendant	
26	Bay Marine Boatworks, Inc. dba Svendsen's Bay Marine	
27		
28		
	CONDITIONAL DISMISSAL AND [PROPOSED] ORDER Case No. 3:20-cv-05399 WHO; Our File No. 4800.26 2	

ORDER	
For the reasons stated above in the Parties' Stipulated Conditional Dismissal, the Court	
finds that the proposed dismissal is proper under Rule 41(a)(2) of the Federal Rules of Civil	
Procedure. IT IS HEREBY ORDERED:	
1. With the consent of the Parties, the Court shall retain jurisdiction for the purposes of	
enforcing the terms of the Parties' settlement agreement through June 18, 2021;	
2. The order of Arrest of the vessel S/Y PURSUIT and the appointment of a substitute	
custodian, docket number 6, is vacated;	
3. Except as provided for in Paragraph 1, the case captioned <i>Bay Marine Boatworks, Inc.</i>	
dba Svendsen's Bay Marine v. S/Y/ PURSUIT, her sails, tackle, appurtenances, etc. in rem and	
<i>Christopher Wollen, in personam,</i> case no. 3:20-cv-05399-WHO (DMR) and the related case	
captioned Christopher Wollen v. Bay Marine Boatworks, Inc. dba Svendsen's Bay Marine, case	
no. 3:20-cv-05958-JD, are hereby dismissed with prejudice.	
Dated: February 17, 2021 Hon. William H. Orrick United States District Court	
Onited States District Court	
CONDITIONAL DISMISSAL AND [PROPOSED] ORDER Case No. 3:20-cv-05399 WHO; Our File No. 4800.26 3	