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4 Attorneys for Plaintiff
5 JEAN RIKER

6 UNITED STATES DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA

8 JEAN RIKER
9 Plaintiff,

CASE NO. CV 07-6397 CW
Civil Rights

10 v.

**STIPULATION AND ORDER
FOR DISMISSAL**

11 MUSTARD'S GRILL;
12 3W & C, LLC;and DOES 1-25,
13 Inclusive,
14 Defendants.

FRCP section 41 (a) (1) (ii)

15 Plaintiff Jean Riker and defendants Mustard's Grill and 3W & C, LLC, by and through
16 their attorneys of record, file this Stipulation of Dismissal pursuant to Federal Rule of Civil
17 Procedure section 41 (a) (1) (ii).

18 Plaintiff filed this lawsuit on December 18, 2007.

19 Plaintiff and defendants have entered into a "Mutual Release And Settlement
20 Agreement" which settles all aspects of the lawsuit against all defendants. A copy of the
21 "Mutual Release And Settlement Agreement" is incorporated by reference herein as if set
22 forth in full. Plaintiff and defendants stipulate to the court retaining jurisdiction to enforce the
23 "Mutual Release And Settlement Agreement."

24 Plaintiff moves to dismiss with prejudice the lawsuit against defendants.

25 Defendants, who have answered the Complaint, agree to the dismissal with prejudice.

26 This case is not a class action, and no receiver has been appointed.

27 This Stipulation and Order may be signed in counterparts, and facsimile signatures shall
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1 be as valid and as binding as original signatures.

2 Wherefore, plaintiff and defendants, by and through their attorneys of record, so
3 stipulate.

4 Date: 12/5/08 SIDNEY J. COHEN
PROFESSIONAL CORPORATION
5 /s/ Sidney J. Cohen
6 _____
7 Sidney J. Cohen
8 Attorney for Plaintiff Jean Riker

9 Date: 12/5/08 Law Offices Of James R. Rose
10 /s/ Sidney J. Cohen
11 _____
12 James R. Rose
13 Attorney for All Defendants

14 PURSUANT TO STIPULATION OF THE PARTIES, IT IS SO ORDERED:

15 The lawsuit against defendants is dismissed with prejudice. The Court shall retain
16 jurisdiction to enforce the parties' "Mutual Release And Settlement Agreement."

17 Date: 12/10/08 Claudia Wilken
18 Claudia Wilken
19 United States District Judge
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