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5 Attorneys for Plaintiffs PATRICK CONNALLY
 and DISABILITY RIGHTS ENFORCEMENT,
 6 EDUCATION SERVICES

7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA

9 PATRICK CONNALLY an individual; and)
 10 DISABILITY RIGHTS ENFORCEMENT,)
 EDUCATION SERVICES:HELPING)
 11 YOU HELP OTHERS, a California public)
 benefit corporation,)

CASE NO. CV 08-02163 PJH

STIPULATION OF DISMISSAL AND
[PROPOSED] ORDER THEREON

12 Plaintiffs,)

13 v.)

14 ALL STAR DOUGHNUTS; ALKAR)
 15 PROPERTIES LLC, a limited liability)
 company; HO CHAY LY and PAUL VAN)
 16 LY, individuals dba ALL STAR)
 DOUGHNUTS,)

17)
 18 Defendants.)
 19 _____)

20 The parties, by and through their respective counsel, stipulate to dismissal of this action
 21 in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the
 22 Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own
 23 costs and attorneys’ fees. The parties further consent to and request that the Court retain
 24 jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511
 25 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of
 26 settlement agreements).

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1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their
2 designated counsel that the above-captioned action be and hereby is dismissed with prejudice
3 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute
5 one original document.
6

7 Dated: December 19, 2008

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

8
9 By: _____ /S/
10 Attorney for PATRICK CONNALLY and
11 DISABILITY RIGHTS ENFORCEMENT,
12 EDUCATION SERVICES: HELPING
13 YOU HELP OTHERS

14 Dated: December 22, 2008

AARON P. SILBERMAN,
ATTORNEY AT LAW

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16 By: _____ /S/
17 Attorney for ALKAR PROPERTIES, LLC

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1 Dated: December 19, 2008

IILENE M. HOCHSTEIN,
ATTORNEY AT LAW

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By: _____/S/
Attorney for HO CHAY LY and PAUL VAN LY

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ORDER

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IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to

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Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the

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purpose of enforcing the parties' Settlement Agreement and General Release should such

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enforcement be necessary.

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January 8, 2009

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Dated: _____, 2008

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UNITED STATE DISTRICT JUDGE