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5 Attorneys for Plaintiffs
 LES JANKEY
 6 and DISABILITY RIGHTS,
 ENFORCEMENT, EDUCATION,
 7 SERVICES: HELPING YOU
 HELP OTHERS

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 LES JANKEY, an individual; and)
 11 DISABILITY RIGHTS, ENFORCEMENT,)
 EDUCATION, SERVICES:HELPING YOU)
 12 HELP OTHERS, a California public benefit)
 corporation,)

CASE NO. CV-09-1450-PJH

**STIPULATION OF DISMISSAL AND
 [PROPOSED] ORDER THEREON**

13 Plaintiffs,)
 14)

15 v.)

16 SILVER SPUR, BEBE SUE ADAMS; and)
 17 KATHRYN SHAMIEH, CO-TRUSTEE of)
 THE FAMILY TRUST DATED)
 18 01/15/1994,)

19 Defendants.)
 20)
 21)

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

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1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their 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 one
5 original document.

6
7 Dated: July 15, 2010

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

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9 By: /s/Thomas E. Frankovich
10 Thomas E. Frankovich
11 Attorney for Plaintiffs LES JANKEY and
12 DISABILITY RIGHTS ENFORCEMENT,
13 EDUCATION SERVICES:HELPING YOU HELP
14 OTHERS

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7/26/10



1 Dated: 7.15, 2010

RAMI S. SHAMIEH,
Shamieh & Shamieh Attorneys at Law

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By: 

Rami S. Shamieh
Attorney for Defendants BEBE SUE ADAMS; and
KATHRYN SHAMIEH, CO-TRUSTEE of the
FAMILY TRUST DATED 01/15/1994

ORDER

IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
Fed.R.Civ P.41(a)(1). **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: July 26, 2010

HON. PHYLLIS J. HAMILTON
United States District Judge