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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

DAVID JOHNSON,  
 Plaintiff,

Case No. C 09-3082 SBA

STIPULATION OF DISMISSAL; ORDER

v.

ANOUSHEN and ARIA  
 AFJEI,

Defendants.

\_\_\_\_\_ /

Third Party Action.

\_\_\_\_\_ /

The Plaintiff and Defendants hereto stipulate as follows:

The Plaintiff and Defendants (hereafter the “Parties”) have reached a full and final settlement of all issues between them in this action. A Settlement Agreement between the Plaintiff and Defendants has been fully executed.

Some parts of the Settlement Agreement are to be performed in the future. The Parties shall comply with their Settlement Agreement, a copy of which is incorporated by reference as if fully set forth. The Parties request the Court to appoint a U.S. Magistrate Judge to retain

jurisdiction for 18 months from the date hereof in order to enforce the terms of the Settlement Agreement under the authority of *Kokkonen v. Guardian Life Insurance Co. Of America*, 511 U.S. 375, 381-82 (1994).

Although the Parties are hereby dismissing the Complaint with prejudice, they agree that the Court will appoint a U.S. Magistrate Judge to retain jurisdiction over this action and the Parties hereto in order to be able to enforce the terms of the Settlement Agreement.

IT IS HEREBY STIPULATED by and between the Parties through their designated counsel that Complaint be and hereby is dismissed with prejudice pursuant to FRCP 41(a)(2), and the Court shall appoint a U.S. Magistrate Judge to retain jurisdiction to enforce the terms of the Settlement Agreement for 18 monthsr after the date hereof.

This Action continues as to the Third Party Action.

Date: May 4, 2010

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S/Thomas N. Stewart, III,  
Attorney for Plaintiff

S/Alex J. Javaheri,  
Attorney for Defendants

IT IS SO ORDERED

Date: 5/5/10

  
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Judge/Magistrate