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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICK FUTIA,

Case No. CV 09-5277 SBA

Plaintiff,

STIPULATION OF DISMISSAL; ORDER

v.

THEODORE and CORRINE
MAVRIDIS, as Trustees,

Defendants.

_____ /

The Parties hereto stipulate as follows:

The Plaintiff and Defendant (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 one year 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).

IT IS HEREBY STIPULATED by and between the Parties to this action 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 one year after the date hereof.

Date: April 29, 2010

Date: April 30, 2010

S/Edward W. Polson,
Attorney for Defendants

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

IT IS SO ORDERED:

Date: 5/10/10



Judge/Magistrate