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11 Attorneys for Defendants  
 12 AP SF 631 LARKIN LLC

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

16 CRAIG YATES, an individual,

17 Plaintiff,

18 v.

19 TURTLE TOWER RESTAURANT; AP  
 20 SF 631 Larkin LLC, a Delaware Limited  
 Liability Company; PHAM LLC, a  
 21 California limited liability company; and  
 KHONG TU, an individual,

22 Defendants.  
 23

Case No. CV-10-3279-KAW

**STIPULATION OF DISMISSAL OF  
 DEFENDANT AP SF 631 LARKIN LLC, a  
 Delaware Limited Liability Company AND  
~~PROPOSED~~ ORDER THEREON**

24 The parties, by and through their respective counsel, stipulate to dismissal of  
 25 defendant AP SF 631 LARKIN LLC, a Delaware Limited Liability Company in its entirety with  
 26 prejudice pursuant to Federal Rules of Civil Procedure 41(a). Outside of the terms of the Settlement  
 27 Agreement and General Release (“Agreement”) herein, each party is to bear its own costs and  
 28 attorneys’ fees.

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 STIPULATION OF DISMISSAL  
 Firmwide:118969510.1 066685.1004

(No. CV-10-3279-KAW)

1           Therefore, IT IS HEREBY STIPULATED by and between parties to this action  
2 through their designated counsel that defendant AP SF 631 LARKIN LLC, a Delaware Limited  
3 Liability Company of the above-captioned action become and hereby is dismissed with prejudice  
4 pursuant to Federal Rules of Civil Procedure 41(a).

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

7 Dated: March 8, 2013

THOMAS E. FRANKOVICH  
A PROFESSIONAL LAW CORPORATION

9  
10 By: /s/ Thomas E. Frankovich  
Thomas E. Frankovich  
Attorneys for Plaintiff CRAIG YATES, an  
11 individual

12 Dated: March 8, 2013

13  
14 /s/ John M. Julius III  
JOHN M. JULIUS III  
LITTLER MENDELSON, P.C.  
Attorneys for Defendants  
15 AP SF 631 LARKIN LLC  
16

17  
18 ORDER

19           IT IS HEREBY ORDERED that defendant AP SF 631 LARKIN LLC, a Delaware  
20 Limited Liability Company of the above-caption action is dismissed with prejudice pursuant to  
21 Federal Rules of Civil Procedure 41(a).

22  
23 Dated: 3/11, 2013

24 Kandis Westmore  
Honorable Judge Kandis A. Westmore  
25 UNITED STATE DISTRICT JUDGE  
26  
27  
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