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9 Attorney for Plaintiffs
 10 Irma Ramirez and Daren Heatherly

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

13 IRMA RAMIREZ, <i>et al.</i>)	CASE NO. 4:13-cv-04039-KAW
)	
)	
14 Plaintiff,)	STIPULATION OF DISMISSAL AND
)	[PROPOSED] ORDER THEREON
15 v.)	
)	
16 EARTHSONG, <i>et al.</i>)	
)	
17 Defendants.)	
)	

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 19 The Parties, by and through their respective counsel, stipulate to the dismissal of this
 20 action in its entirety with prejudice pursuant to Fed. R. Civ. P. 41(a)(2).

21 IT IS HEREBY STIPULATED by and between the parties to this action through their
 22 respective counsel that the above-captioned action may be dismissed with prejudice and that
 23 each side will bear its own costs and attorneys' fees.

24 The parties further consent to and request that the Court retain jurisdiction to enforce
 25 the parties' executed Settlement and Release Agreement in the event enforcement of the
 26 Agreement should become necessary. *See* Kokkonen v. Guardian Life Ins. Co. of Am., 511
 27 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of
 28 settlement agreements).

1 **IT IS SO STIPULATED.**

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3 Dated: October 25, 2017

THOMAS E. FRANKOVICH, APLC
A PROFESSIONAL LAW CORPORATION

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By: /s/ Thomas E. Frankovich
Thomas E. Frankovich
Attorney for Plaintiff

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Dated: October 25, 2017

LAW OFFICE OF JASON G. GONG
A Professional Corporation

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By: /s/ Jason G. Gong

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Jason G. Gong
Attorney for Defendants William Kennedy and
Alycia F. Kennedy

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~~Proposed~~ ORDER

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IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(2) and that each side shall bear its own costs and attorneys' fees. IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the parties' executed Settlement and Release Agreement should such enforcement become necessary.

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Dated: 10/27, 2017

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Honorable Kandis A. Westmore
United States Magistrate Judge

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