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Attorney for Plaintiffs

9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**

11 DAREN HEATHERLY, <i>et al.</i> ,)	CASE NO. 4:13-cv-04327-KAW
12 Plaintiff,)	STIPULATION OF DISMISSAL AND
13 v.)	PROPOSED ORDER THEREON
14 SONOMA COUNTY FAIR AND)	
15 EXPOSITION, INC., <i>et al.</i> ,)	
16 Defendants.)	
17)	
18)	
19)	

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

23 IT IS HEREBY STIPULATED by and between parties to this action through their
24 designated counsel that the above-captioned action become and hereby is dismissed with
25 prejudice and each side is to bear its own costs and attorneys' fees.

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STIPULATION OF DISMISSAL AND [PROPOSED] ORDER

1 The parties further consent to and request that the Court retain jurisdiction over
2 enforcement of the Agreement. See Kokonen v. Guardian Life Ins. Co., 511 U.S. 375 (1994)
3 (empowering the district courts to retain jurisdiction over enforcement of settlement
4 agreements).

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

7 Respectfully Submitted,

8 Dated: April 11, 2016

THOMAS E. FRANKOVICH, APLC
A PROFESSIONAL LAW CORPORATION

10 By: /s/ Thomas E. Frankovich
11 Thomas E. Frankovich
12 Attorney for Plaintiffs

13 Dated: April 11, 2016

BERTRAND, FOX , ELLIOT, OSMAN & WENZEL

15 By: /s/ Eugene Burton Elliot
16 Eugene Burton Elliot
17 Attorney for Defendants

18 **ORDER**

19 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
20 Fed.R.Civ.P.41(a)(2) and each side is to bear its own costs and attorneys' fees. IT IS
21 FURTHER ORDERED that the Court shall retain jurisdiction for the purpose of enforcing
22 the parties' Settlement Agreement and General Release should such enforcement be
23 necessary.
24

25 Dated: 4/12, 2016

26 Kandis Westmore
27 Hon. Kandis A. Westmore
28 UNITED STATES MAGISTRATE JUDGE