

1 THOMAS N. STEWART, III - #88128  
ATTORNEY AT LAW  
2 369 BLUE OAK LANE, 2<sup>nd</sup> FLOOR  
3 CLAYTON, CA 94517  
TELEPHONE (925) 672-8452  
4 E-MAIL t\_stew\_3@yahoo.com

5  
6 Jason G. Gong (SBN 181298)  
LAW OFFICE OF JASON G. GONG  
*A Professional Corporation*  
7 2121 N. California Blvd., Suite 290  
Walnut Creek, CA 94596  
8 Telephone: (925) 735-3800  
Facsimile: (925) 735-3801  
9 Email: [jgong@gonglawfirm.com](mailto:jgong@gonglawfirm.com)

10 Attorneys for Plaintiff ALBERT DYTCH

11  
12 UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 ALBERT DYTCH,

15 Plaintiff,

16 vs.

17 SEN V HUYNH and LIEU T. TRAN,

18 Defendants.  
19

) Case No. 4:14-cv-05156-KAW

) **STIPULATION OF DISMISSAL AND**  
) ~~**PROPOSED**~~ **ORDER**

20 The parties hereby stipulate as follows:

21 1. The parties have reached a full and final settlement of all issues in this action and  
22 have executed a settlement agreement. Some parts of the agreement are to be performed in the  
23 future.

24 2. Although the parties are hereby dismissing this action with prejudice, they agree  
25 that this Court shall retain jurisdiction over this action and the parties hereto in order to be able to  
26 enforce the terms of the Settlement Agreement.

27 3. The parties request that this Court retain jurisdiction for 30 months from the date  
28 hereof in order to enforce the terms of the Settlement Agreement under the authority of

1 *Kokkonen v. Guardian Life Insurance Co. Of America*, 511 U.S. 375, 381-82 (1994) and General  
2 Order No. 56 at ¶ 7 (N.D. Cal.) (July 17, 2003) ("Should any settlement be conditioned upon  
3 future conduct such as remediation, the assigned judge will retain jurisdiction to enforce that  
4 component of the settlement.").

5 4. IT IS HEREBY STIPULATED by and between the parties to this action through  
6 their designated counsel that this action be and hereby is dismissed with prejudice pursuant to  
7 FRCP 41(a)(2), and that the Court retains jurisdiction to enforce the terms of the Settlement  
8 Agreement for 30 months after the date hereof.

9 Respectfully submitted,

10 Dated: March 21, 2015

LAW OFFICE OF JASON G. GONG  
*A Professional Corporation*

11 /s/ Jason G. Gong

12 By:

13 Jason G. Gong  
14 Attorney for Plaintiff Albert Dytch

15 DATED: 3/24/15

16   
17 Defendant Sen V. Huynh

18 DATED: 3/24/15


19   
20 Defendant Lieu T. Tran

21 ~~PROPOSED~~ ORDER

22 Pursuant to the parties' stipulation, the Court hereby dismisses the above-referenced action  
23 with prejudice and retains jurisdiction to enforce the terms of the parties' settlement agreement.

24 IT IS SO ORDERED.

25 Dated: 4/7/15, 2015

26   
27 KANDIS A. WESTMORE  
28 United States Magistrate Judge