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Attorney for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

BYRON CHAPMAN,

Plaintiff,

v.

SCHELLVILLE GRILL, *et al.*,

Defendants.

CASE NO. 4:16-cv-07324-YGR

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

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

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

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

IT IS SO STIPULATED.

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Dated: January 19, 2018

THOMAS E. FRANKOVICH, APLC
A PROFESSIONAL LAW CORPORATION

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

Dated: January 19, 2018

Law Office of Marc D. Stolman, Esq.

By: /s/ Marc D. Stolman
Marc D. Stolman
Attorney for Defendants

~~[proposed]~~ **ORDER**

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

Dated: January 26, 2018



Yvonne Gonzalez Rogers
U.S. District Court Judge