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5 Attorneys for Plaintiff  
 Albert Dytch

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

11 ALBERT DYTCH,  
 12 Plaintiff,  
 13 vs.  
 14 TBGI, A CALIFORNIA CORPORATION  
 dba TOWNHOUSE BAR & GRILL, et al.,  
 15  
 16 Defendants.  
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) No. 4:18-cv-01527-KAW  
 )  
 ) **STIPULATION FOR DISMISSAL OF**  
 ) **ACTION AND REQUEST THAT THE**  
 ) **COURT RETAIN JURISDICTION;**  
 ) **[PROPOSED] ORDER**

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 STIPULATION FOR DISMISSAL OF ACTION AND REQUEST THAT THE COURT RETAIN  
 JURISDICTION; [PROPOSED] ORDER

1 It is hereby stipulated between Plaintiff, Albert Dytch (“Dytch”), and Defendants, TGBI,  
2 a California Corporation doing business as Townhouse Bar & Grill, Inc., and Adelaide  
3 McManus, as Trustee of the Robert Hammond McManus Revocable Trust dated September 17,  
4 2003 (collectively “Defendants,” and together with Dytch, collectively “the Parties”), by and  
5 through their respective counsel, as follows:

6 1. This matter be dismissed with prejudice in its entirety.

7 2. The Court shall retain jurisdiction over this matter for the purpose of adjudicating  
8 Dytch’s motion for attorneys’ fees, costs, and litigation expenses (“Fees Motion”).

9 3. Dytch shall have 45 days after the Court’s entry of the Order dismissing this  
10 action within which to file his Fees Motion.

11 4. For purposes of the Fees Motion only, Defendants will not dispute that Plaintiff is  
12 the prevailing party.

13 **IT IS SO STIPULATED.**

14  
15 Dated: October 12, 2018

MISSION LAW FIRM, A.P.C.

16  
17 /s/ Tanya E. Moore

18 Tanya E. Moore  
19 Attorneys for Plaintiff  
Albert Dytch

20 Dated: October 12, 2018

LAW OFFICES OF DAVID C. MACPHERSON

21  
22 /s/ David C. Macpherson

23 David C. Macpherson  
24 Attorney for Defendants  
25 TGBI, a California Corporation and  
26 Adelaide McManus, Trustee  
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STIPULATION FOR DISMISSAL OF ACTION AND REQUEST THAT THE COURT RETAIN  
JURISDICTION; ~~PROPOSED~~ ORDER

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**ORDER**


The Parties having so stipulated, and good cause appearing,

**IT IS HEREBY ORDERED** as follows:

1. This matter is dismissed with prejudice in its entirety.
2. The undersigned shall retain jurisdiction over this matter for the purpose of adjudicating Plaintiff Albert Dytch's motion for attorneys' fees, costs, and litigation expenses ("Fees Motion"), if any.
3. Plaintiff Albert Dytch shall have 45 days after the entry of this Order within which to file his Fees Motion.
4. Plaintiff Albert Dytch is the prevailing party in this action solely for purposes of resolving his Fees Motion.

**IT IS SO ORDERED.**

Dated: 10/25/18

  
KANDIS A. WESTMORE  
United States Magistrate Judge