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9 Attorneys for JASON VOMACKA, Plaintiff

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

12 JASON VOMACKA,) **Case No. 5:17-CV-02620-EJD**
 13) **Civil Rights**
 14)

15 v.) **STIPULATION OF DISMISSAL**
 16) **WITH PREJUDICE AND**
 17) **~~(PROPOSED)~~ ORDER**
 18) **[F.R.C.P. §§ 41(a)(1)(ii)]**

19 ROMOLO CAPPELLO and ANGELA)
 20 CAPPELLO, collectively in their individual)
 21 and representative capacities as trustees of)
 the CAPPELLO FAMILY TRUST;)
 22 RAYMOND WANG, an individual, d/b/a)
 23 SLIDERS BURGERS; and DOES 1-10,)
 24 inclusive,)
 25)
 26)
 27)
 28)
 Defendants.)

22 **FACTS**

24 Plaintiff JASON VOMACKA and Defendants ROMOLO CAPPELLO and ANGELA
 25 CAPPELLO, collectively in their individual and representative capacities as trustees of the
 26 CAPPELLO FAMILY TRUST; RAYMOND WANG, an individual, d/b/a SLIDERS
 27 BURGERS, by and through their attorneys of record or other representative, file this Stipulation
 28 and Order of Dismissal with Prejudice pursuant to Federal Rule of Civil Procedure §§

1 41(a)(1)(ii)(2). Plaintiff filed this lawsuit on May 05, 2017. Defendants, some of whom have
2 answered the first amended complaint, agree to the dismissal with prejudice. Plaintiff and
3 Defendants further stipulate that each party shall pay its own attorneys' fees and costs.

4 Defendants have agreed to remedy all known ADA violations identified in EXHIBIT A of
5 the settlement agreement executed by the parties.

6 This case is not a class action, and no receiver has been appointed.

7 Wherefore, Plaintiff and Defendants, by and through their attorneys of record and/or
8 authorized representative, so stipulate.
9

10 DATED: June 06, 2018 By: /s/ Kenneth J. Pinto
11 KENNETH J. PINTO
12 Attorneys for Plaintiff RICHARD JOHNSON

13
14 DATED: June 06, 2018 BY: /s/ Sarahann Shapiro
15 SARAHANN SHAPIRO
16 Attorney for Defendant ROMOLO CAPPELLO and
17 ANGELA CAPPELLO, collectively in their individual and
18 representative capacities as trustees of the CAPPELLO
19 FAMILY TRUST

20 DATED: June 06, 2018 BY: /s/ RICHARD SCHRAMM
21 RICHARD SCHRAMM
22 Attorney for Defendant ; RAYMOND WANG dba
23 SLIDERS BURGER
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FILER'S ATTESTATION

Pursuant to Local Rule 5-1, I hereby attest that on June 06, 2018, I, Kenneth J. Pinto, received the concurrence of Sarahann Shapiro, Esq. in the filing of this document.

Pursuant to Local Rule 5-1, I hereby attest that on June 06, 2018, I, Kenneth J. Pinto, received the concurrence of Richard Schramm, Esq. in the filing of this document.

By: /s/ Kenneth J. Pinto
KENNETH J. PINTO

PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

1. The lawsuit against Defendants is dismissed with prejudice.
2. Each party shall pay its own attorneys' fees and costs in this action.

Dated: 6/7/2018



Hon. Edward J. Davila
United States District Judge