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6 *Pension Trust*

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 BOARD OF TRUSTEES OF THE
SOUTHERN NEVADA CULINARY AND
10 BARTENDERS PENSION TRUST,

11 Plaintiff,

12 vs.
13 SEA VEGAS INCORPORATED, *et al.*,
14 Defendants.

CASE NO.: 2:22-cv-01538-JAD-NJK

15 **STIPULATION AND ORDER FOR**
DISMISSAL WITHOUT PREJUDICE

ECF No. 9

15 Plaintiff, the Board of Trustees of Southern Nevada Culinary and Bartenders Pension
16 Trust (“Plaintiff”), and the Defendants, SEA Vegas Incorporated, a Nevada corporation,
17 Nabon Thai Market, Inc., a New York corporation, Spice Corner 236, Inc., a New York
18 corporation, Tong Thai Connecticut LLC, a Connecticut limited liability company, Kitlen
19 Management, Inc., a New York corporation, KL 747, Inc., a New York corporation, Kitlen
20 Realty, LLC, a New York limited liability company, Kittigron Lirtpanaruk, an individual,
21 and Yongyut Limleartvate, an individual (collectively referred to herein as “Defendants”)
22 (Plaintiff and Defendants are collectively referred to herein as the “Parties”), each acting by
23 and through their undersigned counsel, hereby Stipulate and Agree pursuant to Fed. R. Civ.
24 P. 41(a)(1)(A)(ii) that:

25 1. The Parties entered into a written Settlement Agreement dated January 12,
26 2023, which includes an unfiled Stipulation for Entry of Judgment by Confession and
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1 Judgment by Confession (collectively referred to herein as the "Settlement Agreement").

2 2. The Settlement Agreement resolves all claims asserted in this case and
3 requires certain actions to be performed on or before April 15, 2025.

4 3. All claims asserted herein shall be and are hereby dismissed without
5 prejudice.

6 4. Each of the Parties shall bear its own attorney's fees and costs, except as
7 expressly agreed between the Parties in the Settlement Agreement.

8 5. The Court shall retain jurisdiction to enforce the terms of the Settlement
9 Agreement.

10 **CHRISTENSEN JAMES & MARTIN, CHTD.**

JENNINGS & FULTON, LTD.

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Attorneys for Defendants

21 DATED: January 13, 2023

DATED: January 13, 2023

22 **ORDER**

23 Based on the parties' stipulation [ECF No. 9] and good cause appearing, IT IS
24 HEREBY ORDERED that THIS ACTION IS DISMISSED with prejudice, each side to bear
25 its own fees and costs. The Clerk of Court is directed to CLOSE THIS CASE.

26 
27 _____
28 UNITED STATES DISTRICT COURT JUDGE

DATED: 1-17-23