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ESTATE OF THELONIOUS MONK

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17 Attorneys for *North Coast Brewing Co., Inc.*

18  
19 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
20 **OAKLAND DIVISION**  
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1	THELONIOUS SPHERE MONK, JR., as	)	Case No.: 4:17-cv-05015-HSG
	Administrator and on behalf of the	)	
2	ESTATE OF THELONIOUS SPHERE	)	<b>STIPULATION AND <del>PROPOSED</del></b>
	MONK, Deceased,	)	<b>ORDER OF DISMISSAL WITH</b>
3		)	<b>PREJUDICE</b>
	Plaintiff,	)	<b>[FRCP41(a)(1)(A)(ii)]</b>
4		)	
	vs.	)	
5		)	
	NORTH COAST BREWING CO., INC., a	)	
6	California Corporation,	)	
		)	
7	Defendant.	)	
		)	

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9 Plaintiff THELONIOUS SPHERE MONK, JR., as Administrator and on behalf of

10 the ESTATE OF THELONIOUS SPHERE MONK, Deceased, and Defendant North

11 Coast Brewing Co., Inc., by their attorneys of record pursuant to Federal Rule of Civil

12 Procedure FRCP 41(a)(1)(A)(ii) and a confidential settlement agreement reached by the

13 parties, hereby stipulate and agree that this civil action may be dismissed with prejudice,

14 with each party to bear its own fees and costs of suit.

15 The parties request that the court retain jurisdiction to enforce the confidential

16 settlement agreement.

17

18

19 DATED: November 8, 2018

*/s/ Jonah A. Grossbardt*  
 JONAH A. GROSSBARDT  
 SRIPLAW, P.A.

20 and

*/s/ Joel B. Rothman*  
 JOEL B. ROTHMAN  
 SCHNEIDER ROTHMAN  
 INTELLECTUAL PROPERTY LAW  
 GROUP, PLLC

Attorneys for Plaintiff Estate of Thelonious Monk

DATED: November 8, 2018

McDERMOTT WILL & EMERY LLP

/s/ Robert W. Zelnick  
ROBERT W. ZELNICK

and

/s/ Rebecca Harker Duttry  
REBECCA HARKER DUTTRY

and

/s/ Jodi L. Benassi  
JODI L. BENASSI

Attorneys for Defendant North Coast Brewing Co., Inc.

**ATTESTATION OF CONCURRENCE IN FILING**

Pursuant to Local Rule 5-1(i)(3), the filer hereby attests that concurrence in the filing of this document has been obtained from each of the other signatories, which shall serve in lieu of their signatures on the document.

DATED: November 8, 2018

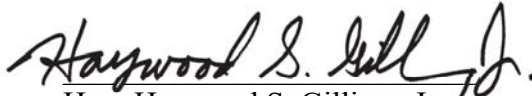
By: /s/ Jonah A. Grossbardt  
Attorneys for Plaintiff Estate of Thelonious Monk

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**ORDER**

Pursuant to stipulation of the parties, and Rule 41(a)(1)(A)(ii), IT IS HEREBY ORDERED that the entire action herein be, and hereby is, DISMISSED WITH PREJUDICE, each party to bear its own attorneys' fees and costs. The court shall retain jurisdiction to enforce the Agreement.

Dated this 8th day of November, 2018.

  
Hon. Haywood S. Gilliam, Jr.  
United States District Judge

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