

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

Plaintiff-Appellant,  
v.  
Defendant-Appellee.

No.

STIPULATION TO DISMISS  
APPEAL WITHOUT  
PREJUDICE

The parties, having reached a settlement of the present matter, hereby stipulate that the appeal be dismissed so that jurisdiction may re-vest in the District Court to approve the referenced settlement.

This dismissal shall be without prejudice to any party's reinstating the appeal within twenty eight (28) days of the District Court's Order denying approval of said settlement.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Appellant

Dated: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Appellee