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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF MARIN

Plaintiff,

vs.

Defendant

CASE NO. CIV _____

STIPULATION & ORDER TO
VACATE PREMISES **AND ORDER**
TO MAINTAIN CONFIDENTIALITY
STATUS (“MASKED CASE”)

_____/

IT IS SO STIPULATED by and between the parties hereto through Plaintiff/Plaintiff’s counsel and Defendant(s) that Judgment in the above-entitled action will be entered as follows should Defendant(s) fail to comply with any of the terms stated herein. The parties agree that this matter shall be, and remain, dismissed as stated in Paragraphs 9 and 10 below.

1. Plaintiff shall be awarded restitution of the premises located at _____, California.

2. Defendant(s) agree to vacate the premises on or before _____ p.m. on _____.

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3. _____ Should Defendant(s) vacate the premises on or before the date specified in Para. 2, Plaintiff shall waive recovery of all unlawful detainer damages and unpaid rent through that date; OR

_____ Defendant(s) shall make the following payments in the amount of \$_____, which reflect all sums due and owing through _____.

Date payment is due:	Amount of payment:
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

- a. This amount _____ does _____ does not include a reduction for habitability defects at the premises.
- b. The term “due” means that the payment will have been received by Plaintiff by close of business (5:00 p.m.) on the due date.
- c. Plaintiff will accept payment in the following forms:
 - _____ Money order
 - _____ Cashiers’ check
 - _____ Personal check or cash
 - _____ Third party payments (i.e., charities, churches, or family members)

- 4. Each party shall bear their own costs and attorneys’ fees incurred herein.
- 5. The rental agreement under which Defendant(s) holds possession of said property shall be

1 terminated upon surrender of possession or upon Defendant's failure to comply with any term of
2 this Stipulation.

3
4 6. Defendant(s) warrants and represents that they are the sole occupant of the subject
5 premises and that the premises has not been rented, assigned, subleased, etc. to any third party at
6 any time prior to the execution of this Stipulation. Defendant(s) agrees that they shall not allow
7 any other person to occupy the subject premises and that they shall not rent, assign, sublease, etc.
8 the premises to any third party.

9
10 7. The parties agree that the matter shall remain confidential ("masked") unless a judgment is
11 entered by the court based upon a breach of this Stipulation.

12 8. Each signatory hereto represents that they have the express authority from the party or
13 parties they represent to sign for and bind that party to the terms herein.

14
15 **DISMISSAL OF CASE AND ENFORCEMENT OF THIS STIPULATION:**

16 9. Plaintiff(s) hereby dismisses the pending action. Plaintiff and Defendant(s) agree that the
17 Court retains jurisdiction over this matter for purposes of enforcing the Stipulation, pursuant to
18 CCP § 664.6. Upon compliance with the terms of this Stipulation, Plaintiff shall dismiss the
19 remaining enforcement portion of this action, in its entirety, with prejudice, by no later than
20 _____. If Plaintiff fails to file a Request for Dismissal by this date, Defendant(s) may
21 file a Request for Dismissal.
22

23 10. In the event of non-compliance with Paragraphs 1, 2 or 3, Plaintiff may move to vacate the
24 dismissal and enter a judgment against Defendant(s) for: _____ possession of the premises and/or
25 _____ monetary damages. In the event of non-compliance with Paragraphs 1, 2 or 3, Plaintiff
26 shall give 24 hours' notice to the Defendant(s) at the following phone number(s) and electronic
27 mail addresses:
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_____,
and appear in court ex parte to request entry of judgment. Said judgment and order shall be based upon this Stipulation and the declaration of Plaintiff(s) setting forth the failure of Defendant(s) to comply with said Paragraphs.

IT IS SO STIPULATED:

Dated: _____
Plaintiff

Dated: _____
Attorney for Plaintiff

Dated: _____
Defendant(s)

ORDER APPROVING STIPULATION

The Stipulation of the parties outlined herein has been reviewed and approved by the Court.

IT IS SO ORDERED:

Dated: _____
JUDGE OF THE SUPERIOR COURT