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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

The Navajo Nation, et al.,

Plaintiffs,

v.

Katie Hobbs, et. al.,

Defendants.

No. CV-18-08329-PCT-DWL

**JOINT NOTICE OF SETTLEMENT
AGREEMENT AND STIPULATION
OF DISMISSAL WITH PROPOSED
ORDER**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Plaintiffs (the Navajo Nation, Joyce Nez, Denise Johnson, Ashley Atene Sr., Irene Roy, Bonnie Tsosie, and Dale Smith), and Defendant Arizona Secretary of State Katie Hobbs (“Hobbs”) (collectively, the “Parties”), notify the Court that the attached Settlement Agreement (“Agreement”) has been reached regarding the Plaintiffs’ claims against Defendant Hobbs. The Parties hereby stipulate to and request an order dismissing with prejudice the claims against Hobbs (“Proposed Order”), subject to the terms of the Agreement.

The Parties’ Agreement contemplates that this Court, through its Order, expressly

1 retain jurisdiction to oversee compliance with the terms of the Agreement as authorized by
2 the Supreme Court in *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375 (1995). As
3 explained by the Ninth Circuit Court of Appeals, “[i]f a district court wishes to retain
4 jurisdiction to later enforce the terms of a settlement agreement, the order dismissing a case
5 with prejudice must incorporate the terms of the settlement agreement or expressly retain
6 jurisdiction.” *Hajro v. U.S. Citizenship & Immigration Servs.*, 811 F.3d 1086, 1099 (9th
7 Cir. 2016) (citing *Kokkonen*, 511 U.S. at 380-81).

8 The Parties respectfully request that the Court enter the Proposed Order filed
9 concurrently herewith dismissing Plaintiffs’ claims against Hobbs and retaining jurisdiction
10 to resolve any and all disputes arising under or relating to the Agreement. The Parties
11 further stipulate that each Party shall bear its own costs and attorneys’ fees.

12 Respectfully submitted this 6th day of August, 2019.

13 SACKS TIERNEY P.A.

14 By: s/ Patty A. Ferguson-Bohnee

15 Patty A. Ferguson-Bohnee

16 Judith M. Dworkin

17 Joe Keene

18 and

19 Paul Spruhan

20 NAVAJO NATION DEPARTMENT OF
JUSTICE

Attorneys for the Plaintiffs

21 Mark Brnovich

22 Attorney General

23 By: s/ Joseph E. La Rue

24 Joseph E. La Rue

25 Kara Karlson

Assistant Attorneys General

26 *Attorneys for Defendant Arizona Secretary of*
27 *State Katie Hobbs*
28

CERTIFICATE OF SERVICE

I hereby certify that on August 6, 2019, I electronically transmitted the foregoing
JOINT NOTICE OF SETTLEMENT AGREEMENT AND STIPULATION OF
DISMISSAL WITH PROPOSED ORDER to the Clerk's Office using the CM/ECF System
for filing.

s/ Rebecca C. Urias

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