

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, address and telephone #)</i> :  STATE BAR NO: ATTORNEY FOR <i>(Name)</i> :	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN</b> 3501 Civic Center Drive P.O. Box 4988 San Rafael, CA 94913-4988	
PETITIONER/PLAINTIFF:   RESPONDENT/DEFENDANT:	
<b>STIPULATION TO DISMISS ACTION AND          SUBMIT CAUSES OF ACTION TO SMALL CLAIMS JURISDICTION</b>	CASE NUMBER:

The parties to the above referenced action hereby agree and stipulate as follows: this case, including any cross-complaint, shall be dismissed with prejudice with the exception that any causes of action, including cross-actions, and/or defenses thereto, shall be preserved and submitted pursuant to CCP § 116.210, to the jurisdiction of the Small Claims division; each party waives the service of process of the small claims or cross-claim form which shall be completed and filed with the Clerk of the Small Claims division; statutory costs of suit, including attorney fees, incurred by the parties in the above-entitled action shall not be recoverable in any Small Claims judgment; the judicial officer to whom the Small Claims action is assigned shall take judicial notice of the above-entitled action. Neither party shall be required to pay a Small Claims filing fee and any filing fees already paid to the Clerk shall not be refunded as a result of the stipulation. A party against whom a small claims money judgment is rendered may, pursuant to CCP § 116.720, file a notice of appeal for a trial de novo upon payment of the appropriate filing fees.

\_\_\_\_\_  
 PETITIONER

\_\_\_\_\_  
 RESPONDENT

\_\_\_\_\_  
 PLAINTIFF

\_\_\_\_\_  
 DEFENDANT

I concur in the stipulation:  
 \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, address and telephone #)</i> :  STATE BAR NO: ATTORNEY FOR <i>(Name)</i> :	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN</b> 3501 Civic Center Drive P.O. Box 4988 San Rafael, CA 94913-4988	
PETITIONER/PLAINTIFF:   RESPONDENT/DEFENDANT:	
<b>STIPULATION TO DISMISS ACTION AND          SUBMIT CAUSES OF ACTION TO SMALL CLAIMS JURISDICTION</b>	CASE NUMBER:

**ORDER**

The Court hereby orders the Clerk of the Marin County Superior Court to enter the parties' dismissal with the exception that any claim or cross-claim arising out of the within complaint or cross-complaint and any defenses thereto shall be preserved and submitted, pursuant to California Code of Civil Procedure § 116.210 et seq., to the jurisdiction of the Small Claims division of the Marin County Superior Court. The service of process of the small claims or cross-claim form is waived by the parties. Both the plaintiff and defendant shall complete and file with the small claims division the applicable forms required by law and provided by the Clerk. Any Small Claims filing fee, excluding de novo filing fees, are waived. Statutory costs of the suit including attorneys fees, incurred in the above-entitled action shall not be recoverable in any Small Claims judgment. A party against whom a small claims money judgment is rendered may, pursuant to CCP § 116.720, file a notice of appeal for a trial de novo upon payment of the appropriate filing fees.

Date: \_\_\_\_\_

\_\_\_\_\_  
*JUDGE OF THE MARIN COUNTY SUPERIOR COURT*