IN THE SUPERIOR COURT FOR THE STATE OF ALASKA THIRD JUDICIAL DISTRICT AT ANCHORAGE

MUNICIPALITY OF ANCHORAGE,

Plaintiff,

٧.

KRINER'S DINER, LLC, et al.,

Defendants.

Case No. 3AN-20-07394 CI



ORDER

THE COURT, having held a hearing on 08/11/2020 where all parties were present and represented by counsel, now orders, adjudges and decrees:

I. STIPULATION BY PARTIES:

- 1. The parties recommended a suspension of contempt fines, so long as the Defendants do not again violate the 08/07/2020 Order Granting Plaintiff's Motion for Temporary Injunction.
- 2. The Municipality of Anchorage agreed to waive its requests for attorney fees.
- 3. Defendants agree to pay the equivalent of the MOA fines of \$300.00 for first day, plus \$600.00 for every other day of violation (for a total of \$3,300.00); or in lieu of the fines Defendants may agree to pay \$3,300.00 to the Children's Lunchbox, 1020 E 4th Ave, Anchorage, AK 99501. Proof of payment is required.
- 4. The parties stipulated that any future violation of the 08/07/2020 Order Granting Plaintiff's Motion for Temporary Injunction will result in a \$5,000.00 per Defendant per day sanction for operating in violation of the 08/07/2020 Order Granting Plaintiff's Motion for Temporary Injunction or the EO-15 and/or a substantially similar emergency order.
- 5. The parties agreed that the Plaintiff shall dismiss this case with prejudice effective September 1, 2020, however, the parties agreed to stay proceedings in this case and agreed to an extension of the 08/07/2020 Order Granting Plaintiff's Motion for Temporary Injunction through September 1, 2020.

6. The parties agreed that this Settlement Agreement resolves all claims and disputes raised in the above-captioned case, including but not limited to all civil, administrative, and criminal disputes. Defendants agreed to withdraw their Administrative Appeal, filed with the Municipal Administrative Hearing Officer.

The Court having held a hearing on August 11, 2020 and having had an opportunity to hear from the parties and their counsel, the Court concludes that the parties entered into a knowing and voluntary agreement that resolves all claims and disputes in the above captioned case.

* Fines must be paid in full proor to the II. ORDER

The terms of the parties' agreement, which was set forth on the record on 08/11/2020 and memorialized herein is hereby accepted and is an order of this Court.

IT IS SO ORDERED this 2020 at Anchorage, Alaska.

> ERIC A. AARSETH SUPERIOR COURT JUDGE

APPROVED AS TO FORM AND CONTENT BY:

Attorney for Plaintiff, Municipality of Anchorage

Date

APPROVED AS TO FORM AND CONTENT BY:

Attorney for Defendants, Andrew Kriner, Norann Kriner

& Kriner's Diner, LLC

| OB/17/2020 |
| Date | S/19/2020 | of the following was mailed/emailed to each

Municipality of Anchorage v. Kriner's Diner LLC et al. Case No 3AN-20707394_CI / CORDER