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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

EXIST INC., a Florida corporation,

Plaintiff,

v.

SHORELINE WEAR, INC., a New York Corporation; MARIO’S OF PALM SPRINGS, a business entity of unknown form; NATIONAL STORES, INC., a California Corporation; WESTERN PACIFIC INTERNATIONAL, a business entity of unknown form; and DOES 1 through 50 [sic], inclusive,

Defendants.

Case No. 2:14-cv-08358-JAK-(AJWx)

Assigned to: Hon. John A. Kronstadt
United States District Judge

Referred to: Hon. Andrew J. Wistrich
United States Magistrate Judge

**ORDER RE JOINT STIPULATION
TO CONTINUE ORDER TO SHOW
CAUSE RE DISMISSAL HEARING
DATE; AND ORDER DISMISSING
CASE WITHOUT PREJUDICE**

JS-6

Old OSC Date: 1/25/16
New OSC Date: 2/29/16

On January 19, 2016, Plaintiff EXIST INC. and Defendants SHORELINE WEAR, INC., NATIONAL STORES, INC., and WESTERN PACIFIC INTERNATIONAL (collectively, the “Parties”) filed their Joint Stipulation to Continue Order to Show Cause re Dismissal Hearing Date (the “Stipulation”).

1 Having duly considered the Stipulation and declarations submitted by counsel for
2 the Parties, IT IS HEREBY ORDERED:

3 In light of the parties' having finalized the settlement agreement, the Court
4 orders the action dismissed without prejudice. The Court retains jurisdiction to
5 vacate this Order and to reopen the action within 45 days from the date of this Order;
6 provided, however, any request by any party(ies) that the Court do so, shall make a
7 showing of good cause as to why the settlement has not been completed within the
8 45-day period, what further settlement processes are necessary, and when the
9 party(ies) making such a request reasonably expect the process to be concluded.
10 This Order does not preclude the filing of a stipulation of dismissal with prejudice
11 pursuant to Fed. R. Civ. P. 41, which does not require the approval of the Court.
12 Such a stipulation shall be filed within the aforementioned 45-day period, or by such
13 later date ordered by the Court pursuant to a stipulation by the parties that conforms
14 the requirements of a showing of good cause stated above. Accordingly, the January
15 25, 2016 Order to Show Cause re Dismissal Hearing is vacated.

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18 DATED: January 21, 2016

BY: 

Hon. John A. Kronstadt, U.S. District Judge