

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ABARCA, RAUL VALENCIA, et.
al.,

Plaintiffs,

v.

MERCK & CO., INC., et. al.,
Defendants.

Case No. 1:07-CV-00388 OWW DLB
ORDER DETERMINING GOOD
FAITH SETTLEMENT (Cal. Civ. Proc.
Code § 877.6(a)(2))

ORDER

The application of Defendant City of Merced (“City”) for an order determining the good faith of a settlement between Plaintiffs and Defendant was presented to this Court on May, 18, 2011.

This Court finds that:

1. The Application was made pursuant to the provisions of California Civil Procedure Code Section 877.6(a)(2);

2. Copies of the Notice of Settlement, Application, and Proposed Order were served by certified mail, return receipt requested, on this Court and on all parties to this action on May 18, 2011;
3. As of June 13, 2011, twenty-six (26) days have elapsed and no Notice of Motion to contest the good faith of the settlement was served or filed within the time prescribed by the California Civil Procedure Code Section 887.6(a)(2);
4. No confidentiality clause of any kind is contained in the settlement agreement.
5. Therefore, the Court finds that the settlement agreement attached to the Application for Good Faith Determination was made in good faith between the parties to the agreement, within the meaning of California Civil Procedure Code Section 877.6.

IT IS SO ORDERED.

Dated: July 14, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE