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 FRANCISCA MORALEZ

7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA
 9 San Francisco Division

11 FRANCISCA MORALEZ,
 12 Plaintiff,
 13 vs.

Case No.: C 07-3807 (EDL)

**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND PERIOD OF
 CONDITIONAL DISMISSAL**

14 ELAINE L. CHAO, SECRETARY OF THE
 U.S. DEPARTMENT OF LABOR; U.S.
 15 DEPARTMENT OF LABOR,
 EMPLOYMENT STANDARDS
 16 ADMINISTRATION

17 Defendants.

18 The parties reached a settlement of this action on October 6, 2008. The Court ordered a
 19 conditional dismissal of the action without prejudice with leave to reinstate on or before 90 days
 20 for the purpose of proceeding with the litigation in the event a settlement had not been completed
 21 before that date. The last business day within the 90 days from October 6 is January 2, 2009.

22 Upon plaintiff's inquiry on December 11, 2008, and defendant's investigation as to the
 23 status of the forthcoming payment to finalize the settlement, defendant's counsel informed
 24 plaintiff's counsel that she could not assure that the settlement would be funded by January 2,
 25 2009. Because the settlement funds have not yet been paid, the parties stipulate and request that

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