

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL DEARING,

No. C-08-1712 MMC

Plaintiff,

**AMENDED ORDER OF DISMISSAL**

v.

CORRECTIONAL OFFICER MACHADO, et  
al.,


Defendants.

The parties having advised the Court that they have agreed to a settlement of this cause, and the settlement having been placed on the record,

IT IS HEREBY ORDERED that plaintiff's claims alleged against defendants herein be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, no later than December 2, 2011, with proof of service of a copy thereon on the opposing party, that the agreed consideration for the settlement has not been delivered, the foregoing order shall stand vacated and the action shall forthwith be restored to the calendar for further proceedings as appropriate.

**IT IS SO ORDERED.**

Dated: October 28, 2011

  
MAXINE M. CHESNEY  
United States District Judge