

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

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**MICHAEL FOSTER**

Plaintiff(s),

No. C-08-01944 EDL

v.

**ORDER OF CONDITIONAL DISMISSAL**

**CITY OF OAKLAND**

Defendants.

\_\_\_\_\_ /  
The parties hereto, by their counsel, having advised the Court that they have agreed to a conditional settlement of this case,

IT IS HEREBY ORDERED that this case is dismissed without prejudice, with leave to reinstate on or before 90 days for the purpose of proceeding with the litigation in the event a settlement has not been completed prior to that date. In the event a request to reinstate the case is not filed and served on opposing counsel on or before the foregoing date, the dismissal will be with prejudice.

IT IS SO ORDERED.

Dated: February 17, 2010

*Elizabeth D. Laporte*  
\_\_\_\_\_  
ELIZABETH D. LAPORTE  
United States Magistrate Judge

**United States District Court**  
For the Northern District of California