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United States District Court  
For the Northern District of California

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

GORDON ERSPAMER,  
Plaintiff,

No. C 08-4692 MMC

**ORDER OF DISMISSAL**

v.

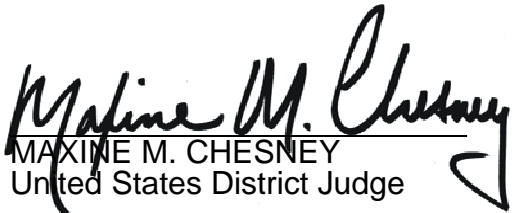
MORRISON & FOERSTER LLP LONG  
TERM DISABILITY PLAN,  
Defendant.

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 herein against defendant be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety (90) days, with proof of service of a copy thereon on opposing counsel, 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 to be set for trial.

**IT IS SO ORDERED.**

Dated: February 17, 2011

  
MAXINE M. CHESNEY  
United States District Judge