

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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 5 THE BOARD OF TRUSTEES OF
 6 THE LABORERS HEALTH AND
 7 WELFARE TRUST FUND FOR
 8 NORTHERN CALIFORNIA, et al.,

9 Plaintiffs,

10 v.

11 JORGE EDGARD QUINONES, et al.,

12 Defendants.

NO. C09-0272 TEH

ORDER OF DISMISSAL

13 This case was reassigned to this Court following Plaintiffs' notice of settlement and a
 14 recommendation by Magistrate Judge Wayne Brazil that Plaintiffs' request for a conditional
 15 thirty-day dismissal with prejudice be granted. The Court has reviewed the recommendation
 16 and the record in this case, and it agrees with Judge Brazil's recommendation. Accordingly,
 17 with good cause appearing, IT IS HEREBY ORDERED that this action be dismissed with
 18 prejudice, provided that if any party certifies to this Court within thirty days of the date of
 19 this order, with proof of service of a copy of the certification on opposing counsel, that the
 20 agreed consideration for the parties' settlement has not been delivered over, the foregoing
 21 order shall stand vacated and this case shall be reopened and restored to the calendar to be set
 22 for trial. IT IS FURTHER ORDERED that Plaintiffs' motion for default judgment is deemed
 23 withdrawn in light of Plaintiffs' notice of settlement.

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 25 **IT IS SO ORDERED.**

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 27 Dated: 08/26/09



28 THELTON E. HENDERSON, JUDGE
 UNITED STATES DISTRICT COURT