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United States District Court  
For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TRAVELERS CASUALTY AND SURETY  
COMPANY OF AMERICA,

No. C 09-0878 MHP

Plaintiff(s),

**MODIFIED CONDITIONAL DISMISSAL  
ORDER**

v.

DEVELICA LLC et al,

Defendant(s).

Pursuant to notice of counsel by letter, filed May 18, 2010, the conditional dismissal order is modified as follows:

IT IS HEREBY ORDERED that this action is dismissed with prejudice; provided, however, that if any party hereto shall certify to this Court, with a proof of service of a copy on opposing counsel, **not later than March 1, 2011**, that the agreed consideration for the settlement has not been delivered over, this Order shall stand vacated, and the action shall be restored to the calendar to be set for trial.

Dated: May 25, 2010

  
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MARILYN HALL PATEL  
United States District Court Judge