

United States District Court
For the Northern District of California

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

DALE GIBSON,

No. C 09-1035 MMC

Plaintiff,

ORDER OF DISMISSAL

v.

UNITED STATES,


Defendant.

The parties having advised the Court that they have agreed to a settlement of the above-titled action and having stipulated to a conditional dismissal of the action without prejudice,

IT IS HEREBY ORDERED that all claims alleged herein be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety 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: March 23, 2011


MAKINE M. CHESNEY
United States District Judge