

1 ERSKINE & TULLEY
 2 A PROFESSIONAL CORPORATION
 3 MICHAEL J. CARROLL (St. Bar #50246)
 220 Montgomery Street, Suite 303
 San Francisco, CA 94104
 Telephone: (415) 392-5431

4 Attorneys for Plaintiffs

5
 6 UNITED STATES DISTRICT COURT
 7
 8 NORTHERN DISTRICT OF CALIFORNIA

9	BOARD OF TRUSTEES OF THE SHEET METAL)	NO. C 09 1307 SI
10	WORKERS, et al.,)	
)	(PROPOSED)
11	Plaintiffs,)	<u>ORDER FOR CONDITIONAL</u>
)	<u>DISMISSAL</u>
12	vs.)	
)	
13	ACOSTA SHEET METAL MANUFACTURING)	
14	COMPANY, INC., a California)	
	corporation,)	
15	Defendant.)	
	_____)	

16 Plaintiffs' counsel having advised the Court that the
 17 parties have agreed to a payment plan that will be finished within
 18 365 days.

19 IT IS HEREBY ORDERED that this action is dismissed with
 20 prejudice; provided, however, that if any party hereto shall
 21 certify to this Court, with a proof of service of a copy on the
 22 opposing party or counsel, within 365 days from the date hereof,
 23 that the agreed consideration for the settlement has not been
 24 delivered over, this Order shall stand vacated, and the action
 25 shall be restored to the civil active calendar.

26 Dated: _____ UNITED STATES DISTRICT COURT
 27 
 28 _____
 Honorable Susan Illston

PROPOSED ORDER FOR CONDITIONAL DISMISSAL

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PROOF OF SERVICE

I am a citizen of the United States and employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within above entitled action; my business address is 220 Montgomery Street, Suite 303, San Francisco, California 94104. On July 9, 2009 I served the within PROPOSED ORDER FOR CONDITIONAL DISMISSAL on the defendant in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post office mail box at San Francisco, California, addressed as follows:

Sal J. Acosta
Acosta Sheet Metal
930 Remillard Court
San Jose, CA 95122

I, SHARON EASTMAN, certify (or declare), under penalty of perjury that the foregoing is true and correct.

Executed on July 9, 2009 at San Francisco, California.

/s/Sharon Eastman
Sharon Eastman