

1 ERSKINE & TULLEY  
 A PROFESSIONAL CORPORATION  
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 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
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12	BOARD OF TRUSTEES OF THE AUTOMOTIVE )	NO. C 09 1330 CRB
13	INDUSTRIES PENSION FUND, et al., )	
	)	
14	Plaintiff, )	<u>STIPULATION FOR</u>
	)	<u>CONDITIONAL DISMISSAL</u>
15	vs. )	<u>ORDER</u>
	)	
16	)	
17	EDGREN MOTOR COMPANY, etc., )	
	corporation, )	
18	)	
	Defendant. )	
19	)	

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 21 The parties having advised the Court that they have agreed  
 22 to a settlement, but that it will take time to finalize.

23 IT IS HEREBY STIPULATED that this action be dismissed with  
 24 prejudice; provided, however, that if any party hereto shall certify  
 25 to this Court, with a proof of service of a copy on opposing counsel,  
 26 within 30 days from the date hereof, that the agreed consideration for  
 27 the settlement has not been delivered over, this Order shall stand  
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1 vacated, and the action shall be restored to the calendar to be set  
2 for trial.

3 DATED: July 13, 2010

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By: /s/Michael J. Carroll  
Michael J. Carroll  
Attorneys for Plaintiff

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8 DATED: July 13, 2010

FISHER & PHILLIPS LLP

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By: /s/John D. McLachlan  
John D. McLachlan  
Attorneys for Defendant

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**ORDER**

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IT IS SO ORDERED.

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DATED: July 13, 2010

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JUDGE CHARLES R. BREYER

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