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12 July 2010

Honorable Bernard Zimmerman, Judge Magistrate  
United States Federal District Court  
Northern District of California  
Courtroom G, 15<sup>th</sup> Floor  
450 Golden Gate Avenue  
San Francisco, California 94102

*Via ECF (only)*

Re: **Fire Innovations, LLC vs. RIT Rescue & Escape Systems, Inc.**  
**Case No. CV 09-1703 BZ (EMC)**

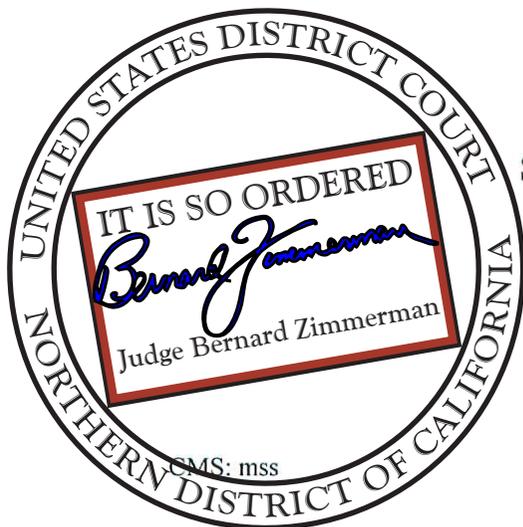
Dear Judge Zimmerman:

On July 8, 2010, Your Honor entered a Conditional Order of Dismissal in this matter [ECF-CAND Doc. No. 66], based on the understanding that the parties had settled the case. The Order invited the parties to move the Court within 30 days of the date of the Order to restore this matter to the calendar if the settlement had not been consummated. While neither party at this time wishes to restore the case to the calendar, the settlement agreement was signed only last Friday, July 17<sup>th</sup>, and a dismissal of the action by plaintiff is conditioned on the performance of certain obligations by defendant. That performance is expected shortly. However, to avoid the need for urgent action as the original 30-day deadline approaches, it is respectfully requested that the Court issue a revised Conditional Order of Dismissal with the 30-day time period commencing on July 17, 2010.

Very truly,

**STAINBROOK & STAINBROOK, LLP**

Craig M. Stainbrook



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DATED: 7/21/2010