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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AT&T CAPITAL SERVICES
Plaintiff(s),

No. 09-2591 MEJ

v.

**CONDITIONAL ORDER OF
DISMISSAL**

T&W INDUSTRIES
Defendant(s).

_____ /

On March 23, 2010, the parties in the above-captioned matter agreed to a settlement of this case. (Dkt. #39.) Accordingly, IT IS HEREBY ORDERED that this cause of action be dismissed with prejudice; provided, however that if any party hereto shall certify to this Court, within ninety days, with proof of service thereof, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial. The Clerk of Court shall close the file.

IT IS SO ORDERED.

Dated: April 6, 2010



Maria-Elena James
Chief United States Magistrate Judge

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