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6 Attorneys for Defendant, THE SHERWIN-WILLIAMS COMPANY

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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

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11 CITY OF EMERYVILLE,)	CASE NO. 3:09-CV-05680-JCS
)	
12 Plaintiff,)	E-FILING
)	
13 v.)	NOTICE OF SETTLEMENT OF ENTIRE
)	CASE AND (PROPOSED) ORDER
14)	
15 THE SHERWIN WILLIAMS COMPANY,)	
DOES 1-50,)	
16 Defendants.)	Judge: Honorable Joseph C. Spero
17)	

18 TO THE HONORABLE COURT:

19 PLEASE BE ADVISED that Plaintiff, CITY OF EMERYVILLE, and Defendant THE
 20 SHERWIN-WILLIAMS COMPANY (collectively referred to herein as “the Parties”) have reached
 21 a settlement in the above referenced matter. A Request for Dismissal as to the entire action will be
 22 filed with the Court as soon as the parties have exchanged and executed all of the appropriate
 23 settlement documents and settlement proceeds have been disbursed.

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1 Therefore, the Parties request that the Case Management Conference set for August 27, 2010
2 at 1:30 p.m. be taken off calendar.

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Respectfully submitted,

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DATED: August 20, 2010

LOW, BALL & LYNCH

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7

By _____ /S/

Tom LoSavio

Attorneys for Plaintiff, City of Emeryville

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DATED: August 20, 2010

LEWIS BRISBOIS BISGAARD & SMITH LLP

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12

By _____ /S/

Ralph A. Zappala

Shahram Nassi

Attorneys for Defendant, The Sherwin-Williams Co.

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ATTESTATION PURSUANT TO GENERAL ORDER 45

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I, Shahram Nassi, attest that concurrence in the filing of this document has been obtained
17 from each of the other signatories. I declare under penalty of perjury under the laws of the United
18 States of America that the foregoing is true and correct. Executed on August 20, 2010, in San
19 Francisco, California.

20

By _____ /S/

Shahram Nassi

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IT IS SO ORDERED.

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PURSUANT TO the representation of the Parties that they have reached a settlement in this
25 matter, the Case Management Conference scheduled for August 27, 2010 will be taken off calendar.

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DATED: 08/24, 2010

Honorable _____

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