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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CITY OF EMERYVILLE,
Plaintiff(s),

No. C 09-05680 JCS

v.

ORDER OF DISMISSAL

THE SHERWIN WILLIAMS COMPANY,
Defendant(s).

The Court having been advised that the parties have agreed to a settlement of this case,
IT IS HEREBY ORDERED that this case is dismissed in its entirety with prejudice; provided,
however, that if any party hereto shall certify to this Court, within sixty (60) days, with proof of service
of a copy thereon to opposing counsel, that the agreed consideration for said settlement has not been
delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to the
calendar to be set for trial.

IT IS SO ORDERED.

Dated: August 25, 2010



JOSEPH C. SPERO
United States Magistrate Judge

United States District Court
For the Northern District of California