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**United States District Court**  
For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**IBEW LOCAL 595 HEALTH &  
WELFARE TRUST FUND, et al.,**

Plaintiffs,

No. C-09-05807 EDL

v.

**ORDER OF CONDITIONAL DISMISSAL**

**SOUTHER ELECTRIC, INC.,**

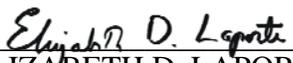
Defendants.

The parties hereto, by their counsel, having advised the Court that they have agreed to a settlement of this cause,

IT IS HEREBY ORDERED that this case is dismissed without prejudice, with leave to reinstate on or before 90 days for the purpose of proceeding with the litigation in the event a settlement has not been completed prior to that date. In the event a request to reinstate the case is not filed and served on opposing counsel on or before the foregoing date, the dismissal will be with prejudice.

IT IS SO ORDERED.

Dated: January 25, 2011

  
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ELIZABETH D. LAPORTE  
United States Magistrate Judge