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Attorneys for Plaintiff

8 UNITED STATES DISTRICT COURT
 9
 10 NORTHERN DISTRICT OF CALIFORNIA

11 JOHN MARION,
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 13 Plaintiff,
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 15 vs.
 16 THE PRUDENTIAL INSURANCE
 17 COMPANY OF AMERICA,
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 19 Defendant.

Case No.: C09-05912 MHP

**PLAINTIFF'S NOTICE OF
 SETTLEMENT; REQUEST
 TO TAKE INITIAL CASE
 MANAGEMENT CONFERENCE
 OFF CALENDAR; AND
 (PROPOSED) ORDER**

Initial Case Management Conference:

Date: May 10, 2010
 Time: 4:00 p.m.
 Place: Courtroom 15

Date Action Filed: December 17, 2009

22 TO THE COURT AND ALL INTERESTED PARTIES:

23 PLEASE TAKE NOTICE that the parties hereto have reached an agreement
 24 to resolve this action in its entirety.

25 Documents are currently being prepared to finalize the resolution of this
 26 matter and the parties anticipate filing a stipulation to dismiss the entire action,
 27 each side to bear their own attorney fees and costs within 30 days.

28 Plaintiff also requests that the initial case management conference set for



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May 10, 2010, at 4:00 p.m. be taken off calendar.

Dated: April 20, 2010



/s/ Frank N. Darras
FRANK N. DARRAS
LISSA A. MARTINEZ
Attorneys for Plaintiff

ORDER

IT IS SO ORDERED. The Initial Case Management Conference on May 10, 2010, at 4:00 p.m. in Courtroom 15 is vacated.

DATED: April 21, 2010

HONORABLE MARILYN HATHCOPEL
Judge of the District Court

