

FLYNN, DELICH & WISE LLP
ATTORNEYS AT LAW
343 SANSOME STREET, SUITE 540
SAN FRANCISCO, CALIFORNIA 94104
(415) 693-5566

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ERICH P. WISE (Bar No. 63219)
FLYNN, DELICH & WISE LLP
One World Trade Center, Suite 1800
Long Beach, CA 90831
Telephone: (562) 435-2626
Telecopier: (562) 437-7555
Email: erichw@fdw-law.com

CONTE C. CICALA (Bar No. 173554)
FLYNN, DELICH & WISE LLP
343 Sansome Street, Suite 540
San Francisco, CA 94104
Telephone: (415) 693-5566
Telecopier: (415) 693-0410
Email: contec@fdw-law.com

Attorneys for Plaintiff
MITSUI O.S.K. LINES, LTD.

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MITSUI O.S.K. LINES, LTD.)
Plaintiff,)
vs.)
COHESION FREIGHT (HK) LIMITED and)
DOES 1 through 20,)
Defendants.)

Case No.: CV 10 5585 CRB
**STIPULATED CONDITIONAL
DISMISSAL WITH PREJUDICE;
~~PROPOSED~~ ORDER THEREON**

STIPULATED CONDITIONAL DISMISSAL WITH PREJUDICE

Plaintiff MITSUI O.S.K. LINES, LTD and defendant COHESION FREIGHT (HK) LIMITED hereby stipulate through their designated counsel that the above-captioned action should be and hereby is dismissed with prejudice pursuant to FRCP 41(a)(1). Such dismissal is subject to the settlement agreement between the parties and is effective and conditioned upon all

1 conditions of settlement being satisfied, and further that this action may be reinstated if they are
2 not, and that this Court retains personal and subject matter jurisdiction to vacate the dismissal and
3 to preside over a reinstated action, if applicable, and as otherwise necessary to enforce the terms of
4 settlement and consistent herewith. The parties respectfully request that this document supersede
5 the Order of Dismissal filed by this Court on December 14, 2011.
6

7 DATED: January 9, 2012

FLYNN, DELICH & WISE LLP

/s/

By: _____

Erich P. Wise
Conte C. Cicala

Attorneys for Plaintiff
MITSUI O.S.K. LINES, LTD.

13 DATED: January 9, 2012

CHALOS & CO., PC

/s/ (pursuant to electronic authority)

By: _____

George Chalos
Attorneys for Defendant
COHESION FREIGHT (HK) LIMITED

FLYNN, DELICH & WISE LLP
ATTORNEYS AT LAW
343 SANSOME STREET, SUITE 540
SAN FRANCISCO, CALIFORNIA 94104
(415) 693-5566

~~PROPOSED~~ ORDER

Pursuant to stipulation and good cause having been shown, IT IS SO ORDERED.

23 DATED: January 11, 2012

