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 12 IN THE UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
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15	MITSUI O.S.K. LINES, LTD.)	Case No.: CV 10 5588 RS
16	Plaintiff,)	STIPULATED CONDITIONAL DISMISSAL WITH PREJUDICE; PROPOSED ORDER THEREON
17	vs.)	
18)	
19	DELTRANS INTERNATIONAL SHIPPING CORP. and DOES 1 through 20,)	
20	Defendants.)	
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22 **STIPULATED CONDITIONAL DISMISSAL WITH PREJUDICE**

23 Plaintiff MITSUI O.S.K. LINES, LTD and defendant DELTRANS INTERNATIONAL
 24 SHIPPING CORP. hereby stipulate through their designated counsel that the above-captioned
 25 action should be and hereby is dismissed with prejudice pursuant to FRCP 41(a)(1). Such
 26 dismissal is subject to the settlement agreement between the parties and is effective and
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conditioned upon all conditions of settlement being satisfied, and further that this action may be reinstated if they are not, and that this Court retains personal and subject matter jurisdiction to vacate the dismissal and to preside over a reinstated action, if applicable, and as otherwise necessary to enforce the terms of settlement and consistent herewith.

DATED: December 29, 2011

FLYNN, DELICH & WISE LLP

/s/

By: _____

Erich P. Wise
Conte C. Cicala

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

DATED: December 29, 2011

LEWIS, BRISBOIS, BISGAARD
& SMITH LLP

/s/

By: _____

Ivan Tjoe
Attorneys for Defendant
DELTRANS INTERNATIONAL SHIPPING
CORP.

[PROPOSED] ORDER

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

DATED: 12/29/11 _____


UNITED STATES DISTRICT JUDGE