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 8 **UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 10 **(San Francisco Division)**

11 INTERNATIONAL BROTHERHOOD OF
 ELECTRICAL WORKERS DISTRICT 9
 12 PENSION PLAN; NORTHERN
 CALIFORNIA-NORTHERN NEVADA
 13 SOUND & COMMUNICATION DISTRICT
 No. 9 HEALTH & WELFARE TRUST
 14 FUND; NORTHERN CALIFORNIA-
 NORTHERN NEVADA SOUND &
 15 COMMUNICATION DISTRICT No. 9
 APPRENTICESHIP & TRAINING
 16 COMMITTEE; JOHN O'ROURKE, as
 Trustee of the above,

17 Plaintiffs,

18 vs.

19 RICHARD CHARLES PULVER and
 20 PATRICIA ANN PULVER, husband and
 wife d/b/a JLP LOW VOLTAGE,

21 Defendants.
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Case No. CV-11-3171-EMC

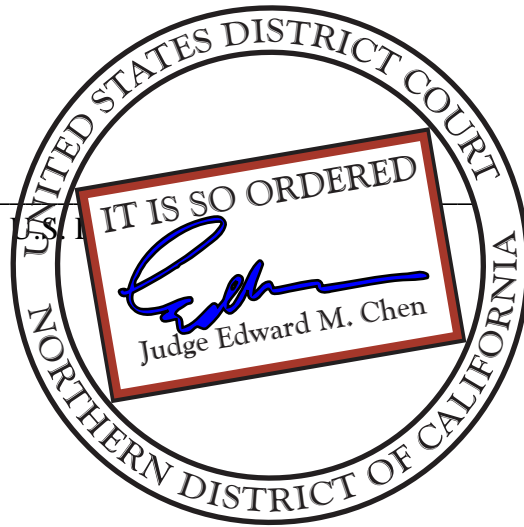
**[PROPOSED] CONTINGENT ORDER
 OF DISMISSAL**

1 [PROPOSED] ORDER:

2 The parties hereto having advised the Court that they have agreed to a settlement of this
3 action; IT IS HEREBY ORDERED that this action is dismissed without prejudice, provided,
4 however, that if any party hereto shall certify to this Court, with proof of service of copy thereon
5 on the Defendant or its counsel that the agreed consideration for the settlement has not been
6 delivered over, or that Defendant has otherwise failed to meet its obligations under the settlement,
7 the foregoing Order shall vacated by this Court and this action shall forthwith be restored to the
8 calendar. Plaintiffs may then insert the appropriate amount owed and seek Entry of Judgment
9 against Defendant for the remaining amounts owed. Judgment will then be entered forthwith.

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11 IT IS SO ORDERED.

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13 Dated: 12/22/11



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PROOF OF SERVICE BY MAIL

I, the undersigned, declare:

I am employed in the City and County of San Francisco, State of California. I am over the age of 18 years and not a party to the within action; my business address is 369 Pine Street, Suite 800, San Francisco, California 94104. On December 20, 2011, I served the within:

[PROPOSED] CONTINGENT ORDER OF DISMISSAL

on the parties in said cause following our business practice, with which I am readily familiar. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid. I placed a true copy of the within document enclosed in a sealed envelope with first class postage thereon fully prepaid for collection and deposit on the date shown below in the United States mail at San Francisco, California addressed as follows:

J L P LOW VOLTAGE
940 KENILWORTH COURT
WALNUT CREEK, CA 94596

I declare under the penalty of perjury that the foregoing is true and correct, and that this declaration was executed on December 20, 2011, at San Francisco, California.

/s/ Chloe Quail
Chloe Quail
Attorney for Plaintiffs