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3 UNITED STATES DISTRICT COURT  
4 NORTHERN DISTRICT OF CALIFORNIA  
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7 Telekenex, Inc.,  
8 Plaintiff,  
9 v.  
10 DuCharme, McMillen & Associates, Inc.,  
11 Defendant.

Case No.: [3:12-cv-01559-JCS](#)

**ORDER OF DISMISSAL**

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13 The Court having been advised that the parties have agreed to a settlement of this case,  
14 IT IS HEREBY ORDERED that this case is dismissed in its entirety with prejudice;  
15 provided, however, that if any party hereto shall certify to this Court, within sixty (60)days, with  
16 proof of service of a copy thereon to opposing counsel, that the agreed consideration for said  
17 settlement has not been delivered over, the foregoing Order shall stand vacated and this case shall  
18 forthwith be restored to the calendar to be set for trial.

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20 IT IS SO ORDERED.

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22 Dated: January 31, 2013

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25 JOSEPH C. SPERO  
26 United States Magistrate Judge  
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