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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PENSION PLAN FOR PENSION TRUST
FUND FOR OPERATING ENGINEERS, et
al.,

Plaintiffs,

v.

ACME CONCRETE PUMPING, INC., et
al.,

Defendants.

Case No. [12-cv-04410-WHO](#)

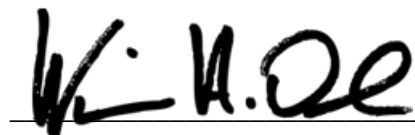
**ORDER OF DISMISSAL UPON
SETTLEMENT**

Re: Dkt. No. 55

The parties to the action, by and through their counsel, have advised the Court that they have agreed to a settlement.

IT IS ORDERED that this matter is DISMISSED WITH PREJUDICE and any hearings scheduled in this matter are VACATED. It is further ordered that if any party certifies to this Court, with proper notice to opposing counsel within ninety (90) days from the date below, that settlement has not in fact occurred, this order shall be vacated and this cause shall be restored to the calendar for further proceedings. **IT IS SO ORDERED.**

Dated: September 16, 2013



WILLIAM H. ORRICK
United States District Judge