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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 JOSEPH CUVIELLO and MARK ENNIS,

12 Plaintiffs,

13 v.

14 CIRCUS AMERICA, INC., JAVIER
15 RAMON MARTINEZ, and JOHN PELTON,

16 Defendants.

Case No. 12-cv-04618 NC

**ORDER OF CONDITIONAL
DISMISSAL**

Re: Dkt. No. 46


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18 The Court having been notified of the settlement of this action, and it appearing that
19 no issue remains for the Court's determination,

20 IT IS HEREBY ORDERED THAT this action and all claims asserted herein are
21 DISMISSED with prejudice. In the event that the settlement is not reached, any party may
22 move to reopen the case, provided that such motion is filed within 60 days of this order.

23 All scheduled dates are VACATED.

24 IT IS SO ORDERED.

25 Date: October 10, 2013

26 
Nathanael M. Cousins
United States Magistrate Judge

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Case No. 12-cv-04618 NC
ORDER OF CONDITIONAL DISMISSAL