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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SOMPO JAPAN INSURANCE
COMPANY OF AMERICA

No. C 12-06156 CRB

ORDER OF DISMISSAL

Plaintiff,

v.

ATAIN SPECIALTY INSURANCE
COMPANY f/k/a USF INSURANCE
COMPANY; and NORTH AMERICA
CAPACITY INSURANCE COMPANY

Defendants.

ATAIN SPECIALTY INSURANCE
COMPANY f/k/a USF INSURANCE
COMPANY,

Counterclaimant,

v.

SOMPO JAPAN INSURANCE
COMPANY OF AMERICA,

Counterdefendant

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The parties hereto, by their counsel, having advised the Court that they have agreed to a settlement of this case,

IT IS HEREBY ORDERED that this case be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within forty-five (45) days, with proof of service of a copy thereon on opposing counsel, that the agreed consideration for said settlement has not been delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to the calendar to be set for trial.

Dated: March 26, 2013



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE