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United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KELLY MOORE PAINT COMPANY,  
INC.,  
  
Plaintiff,  
  
v.  
  
NATIONAL UNION FIRE INSURANCE  
CO. OF PITTSBURGH, PA,  
  
Defendant.

Case No. [14-cv-01797-MEJ](#)  
AMENDED ORDER  
**CONDITIONAL DISMISSAL**

The Court having been advised that the parties have agreed to a settlement of this case, **IT IS HEREBY ORDERED** that this case is **DISMISSED WITHOUT PREJUDICE**. However, if any party hereto shall certify to this Court, within thirty (30) days, with proof of service thereof, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial. The Clerk of Court shall close the file.

If no certification is filed, after passage of thirty (30) days, the dismissal shall be **with** prejudice.

**IT IS SO ORDERED.**

Dated: April 27, 2015

  
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MARIA-ELENA JAMES  
United States Magistrate Judge