

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL SMITH,

Plaintiff,

v.

EXPRESS SCRIPTS HOLDING
COMPANY,

Defendant.

Case No. [16-cv-05001-VC](#)

ORDER OF DISMISSAL

The Court has been advised by an email from the mediator on September 28, 2017 that the parties have resolved this case prior to mediation. Therefore, it is ORDERED that this case is DISMISSED without prejudice. All deadlines and hearings in the case are vacated. Any pending motions are moot.

The parties retain the right to reopen this action within 60 days of this Order if the settlement is not consummated. If a request to reinstate the case is not filed and served on opposing counsel within 60 days, the dismissal will be with prejudice.

IT IS SO ORDERED.

Dated: September 28, 2017



VINCE CHHABRIA
United States District Judge