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

LACY ROSE,  
Plaintiff,  
v.  
TD BANK USA, NATIONAL  
ASSOCIATION, et al.,  
Defendants.

Case No. [17-cv-00419-MMC](#)

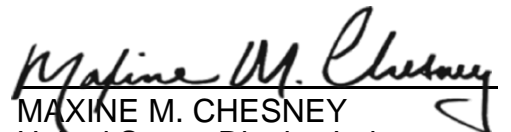
**ORDER OF DISMISSAL**

Plaintiff Lacy Rose and defendant TD Bank USA having advised the Court that the parties have “reached a settlement in principal of the above captioned case and are in the process of documenting said settlement” (see Notice of Settlement, filed September 21, 2017),<sup>1</sup>

IT IS HEREBY ORDERED that plaintiff’s claims alleged against said defendant be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety days, 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 for further proceedings as appropriate.

**IT IS SO ORDERED.**

Dated: September 21, 2017

  
MAXINE M. CHESNEY  
United States District Judge

<sup>1</sup> In light thereof, defendant’s pending motion to dismiss is deemed withdrawn.