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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JESUS VALENCIA,  
Plaintiff,  
v.  
XANITOS, INC.,  
Defendant.

Case No. [17-cv-06019-MEJ](#)

**ORDER OF CONDITIONAL  
DISMISSAL**

The Court having been advised that the parties have agreed to a settlement of this case in mediation, **IT IS HEREBY ORDERED** that this case is **DISMISSED WITHOUT PREJUDICE**. However, if any party hereto shall certify to this Court, within ninety (90) 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. If no certification is filed after passage of **ninety (90) days**, the dismissal shall be **with** prejudice.

**IT IS SO ORDERED.**

Dated: June 27, 2018

  
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MARIA-ELENA JAMES  
United States Magistrate Judge

United States District Court  
Northern District of California