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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

OZIEL SAWYER III,  
Plaintiff,  
v.  
EWAC, LLC, et al.,  
Defendants.

Case No. [19-cv-07041-SK](#)

**ORDER OF CONDITIONAL  
DISMISSAL**

Regarding Docket No. 21

Plaintiff filed a notice of settlement in which he advised the Court that the above captioned matter has provisionally settled and that, as part of the settlement, the parties anticipate filing a stipulation of dismissal after consummating the settlement within sixty days. In light of the settlement, the Court **HEREBY ORDERS** that this action is **DISMISSED** without prejudice; provided, however that if any party hereto shall certify to this Court within one hundred and twenty days, with proof of service, that the settlement has not been consummated or the agreed consideration for settlement has not been delivered over, the foregoing order shall stand vacated and this case shall be restored to the calendar and set for trial. If no certification is filed, after passage of one hundred and twenty days, the dismissal shall be with prejudice.

**IT IS SO ORDERED.**

Dated: November 16, 2020

  
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SALLIE KIM  
United States Magistrate Judge