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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ERNESTINA SALDANA-NEILY,

Plaintiff(s),

No. C 04-04571 PJH

v.

ORDER OF DISMISSAL

TACO BELL OF AMERICA, INC., et al.,

Defendant(s).

The court having been notified by minute order following a judicially hosted settlement conference that the parties have agreed to a settlement of this cause, IT IS HEREBY ORDERED that this cause of action is dismissed **without** prejudice; provided, however that if any party hereto shall certify to this court, within ninety days, with proof of service thereof on the opposing party, 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 days, the dismissal shall be **with** prejudice. The parties may, of course, substitute a dismissal **with** prejudice at any time during this ninety day period.

IT IS SO ORDERED.

Dated: February 13, 2015



PHYLLIS J. HAMILTON
United States District Judge