

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

DAVID WALLACE,
Plaintiff,
v.
KIEWIT PACIFIC CO.,
Defendant.

No. C 07-03238 CW
CONDITIONAL ORDER
OF DISMISSAL

The parties hereto, by their counsel, having advised the Court that they have agreed to a settlement of this cause,

IT IS HEREBY ORDERED that this cause be dismissed with prejudice; provided, however, that if any party hereto shall certify to this Court, with proof of service of a copy thereon on opposing counsel, within 90 days from the date hereof, 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.

IT IS SO ORDERED.

Dated: 2/25/09



CLAUDIA WILKEN
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 DAVID WALLACE,
5 Plaintiff,

Case Number: CV07-03238 CW

CERTIFICATE OF SERVICE

6 v.

7 KIEWIT PACIFIC CO. et al,
8 Defendant.

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,
10 Northern District of California.

11 That on February 25, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
14 in the Clerk's office.

15 David Wallace
16 General Delivery
17 Honolulu, HI 96820

Dated: February 25, 2009

18 Richard W. Wieking, Clerk
19 By: Sheilah Cahill, Deputy Clerk
20
21
22
23
24
25
26
27
28