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2 IN THE UNITED STATES DISTRICT COURT
3
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA

5 JAMES M. CADY,
6
7 Plaintiff,
8
9 v.
10 ANTHEM BLUE CROSS, et al.,
11
12 Defendants.
13
14 _____/

No. C 08-02753 CW

CONDITIONAL ORDER
OF DISMISSAL

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

17 IT IS HEREBY ORDERED that this cause be dismissed with prejudice;
18 provided, however, that if any party hereto shall certify to this
19 Court, with proof of service of a copy thereon on opposing counsel,
20 within 90 days from the date hereof, that the agreed consideration for
21 said settlement has not been delivered over, the foregoing Order shall
22 stand vacated and this cause shall forthwith be restored to the
23 calendar to be set for trial.

24 IT IS SO ORDERED.

25 Dated: 11/3/08

Claudia Wilken

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CLAUDIA WILKEN
United States District Judge