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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES,

Plaintiff(s),

No. C 08-04463 PJH

v.

ORDER OF DISMISSAL

FUNE YA JAPANESE RESTAURANT, INC.,

Defendant(s).

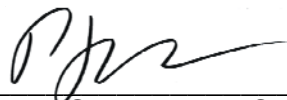
The court having been advised by the Certification of ADR Session filed by the assigned mediator, that the parties have agreed to a settlement of this case,

IT IS HEREBY ORDERED that this case is dismissed **without** prejudice; however, if any party hereto shall certify to this Court, with proof of service of a copy thereof to the opposing party, within ninety (90) days from the date of this order, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this case shall forthwith be restored to the Court's 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: August 19, 2010



PHYLLIS J. HAMILTON
United States District Judge