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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EXECUTIVE RISK SPECIALTY,

Plaintiff(s),

No. C 09-1840 PJH

v.

ORDER OF DISMISSAL

CROCKER SECURITIES,

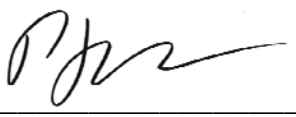
Defendant(s).

The parties hereto, by plaintiff's counsel, having advised the court that they have agreed to a settlement of this cause as to defendants Crocker, Kevin Martin, and Lisa Mello, IT IS HEREBY ORDERED that this cause of action is dismissed **without** prejudice as to these defendants; provided, however that if any party hereto shall certify to this court, within sixty (60) days, with proof of service thereof, that the agreed consideration for said settlement has not been delivered over or performed, 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 sixty (60) days, the dismissal shall be **with** prejudice.

IT IS SO ORDERED.

Dated: October 16, 2009



PHYLLIS J. HAMILTON
United States District Judge