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 11

12 UNITED STATES DISTRICT COURT FOR THE  
 13 NORTHERN DISTRICT OF CALIFORNIA

14 BAYKEEPER, a non-profit corporation,  
 15  
 Plaintiff,  
 16  
 v.  
 17

Civil No. C-09-04832 CW

~~PROPOSED~~ ORDER DISMISSING  
 COMPLAINT


18 CEMEX, Inc., CEMEX CONSTRUCTION  
 19 MATERIALS PACIFIC, LLC, and RMC  
 20 PACIFIC MATERIALS,  
 21 Defendants.

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After consideration of the Settlement Agreement between the parties attached to this order, I hereby dismiss this case with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2) and retain jurisdiction over the parties with respect to any disputes that may arise under the Settlement Agreement.

APPROVED AND SO ORDERED, this 27th day of May, 2010.

  
Hon. CLAUDIA WILKIN  
United States District Judge

