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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDY TAM,

Plaintiff(s),

No. C 12-5887 PJH

v.

ORDER OF DISMISSAL

BARRY CALLEBAUT USA LLC,

Defendant(s).

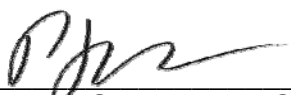
The parties hereto, by their counsel, having advised the court that they have agreed to a settlement of this cause, IT IS HEREBY ORDERED that this cause of action is dismissed **without** prejudice; provided, however that if any party hereto shall certify to this court, within sixty days, with proof of service thereof, 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.

If no certification is filed, after passage of sixty, the dismissal shall be **with** prejudice. The parties may substitute a dismissal with prejudice at any time during this sixty-day period.

The March 28, 2013 case management conference is VACATED.

IT IS SO ORDERED.

Dated: March 26, 2013



PHYLLIS J. HAMILTON
United States District Judge