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United States District Court  
For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MAACO FRANCHISING INC,

No. C-13-01683 DMR

Plaintiff(s),

**ORDER OF DISMISSAL**

v.

KEVIN FITZGERALD ET AL,

Defendant(s).

The court having been advised that the parties have agreed to a settlement of this case,  
IT IS HEREBY ORDERED that this case is dismissed in its entirety with prejudice;  
provided, however, that if any party hereto shall certify to this court, within **30 days**, with proof of  
service of a copy thereon to opposing counsel, 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 calendar to be set for trial. All further dates are vacated.

IT IS SO ORDERED.

Dated: January 22, 2014



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DONNA M. RYU  
United States Magistrate Judge