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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FIDELITY BROKERAGE SERVICES
LLC,

Plaintiff,

v.

BRETT ROCINE, et al.,

Defendants.

Case No. 17-cv-04993-PJH

ORDER OF DISMISSAL

Re: Dkt. No. 53

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 on the opposing party, 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 days, the dismissal shall be **with** prejudice. The parties may, of course, substitute a dismissal with prejudice at any time during this sixty day period.

IT IS SO ORDERED.

Dated: January 12, 2018



PHYLLIS J. HAMILTON
United States District Judge