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\*\*E-Filed 10/27/2009\*\*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

TRACIE LYTHGOE, et al.,  
Plaintiffs,  
v.  
BANK OF THE WEST, et al.,  
Defendants.

Case Number C 07-2300 JF (PVT)  
ORDER OF DISMISSAL

The Court has been advised that the parties have agreed to a settlement of this case.

IT IS HEREBY ORDERED that the case be dismissed with prejudice. However, if any party notifies the Court within ninety days of the date of this order that the agreed consideration for said settlement has not been delivered, this order will be vacated and the case will be restored to the calendar to be set for trial.

All hearings and/or trial dates set in this matter are VACATED.

Dated: October 26, 2009

\_\_\_\_\_  
JEREMY FOGEL  
United States District Judge

1 Copies of Order served on:

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3 David M. Poore dpoore@kahnbrownlaw.com, ltacata@kahnbrownlaw.com

4 Greg James Richardson grichardson@orrick.com, pdawson@orrick.com

5 Karen H. Kahn kkahn@kahnbrownlaw.com

6 Neda N. Dal Cielo ndalcielo@littler.com, sbarnes@littler.com

7 Patricia K. Gillette pgillette@orrick.com, pdawson@orrick.com

8 Ronald A. Peters rpeters@littler.com

9 Scott A. Brown sbrown@kahnbrownlaw.com, jhayes@kahnbrownlaw.com

10 Suzanne R Nestor snestor@littler.com, sjoyner@littler.com

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