

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

BERWICK-KRAUSZ,  
Plaintiff,

CV-07-4571-JL

## ORDER OF DISMISSAL

V.

TRU 2005,  
Defendant.

The parties have advised the Court that they 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.

Date: November 26, 2008

  
JEREMY FOGEL  
United States District Judge