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United States District Court
For the Northern District of California

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

Evangeline Red, et al.,

NO. C 10-00387 JW

Plaintiffs,

**ORDER SETTING HEARING ON
MOTION FOR PRELIMINARY
APPROVAL OF SETTLEMENT**

v.

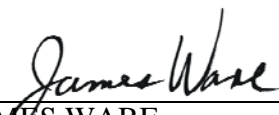
Unilever United States, Inc., et al.,

Defendants.

On June 21, 2010, the Court conducted a hearing on Defendant Unilever United States, Inc.’s Motion to Dismiss.¹ At the hearing, the parties represented that they have reached a tentative agreement resolving all claims on behalf of the putative class. In light of the settlement, the Court vacates all trial and pretrial dates and deems Defendant’s Motion to Dismiss as withdrawn.

On **September 27, 2010 at 9 a.m.**, the Court will conduct a hearing on the parties’ anticipated motion for preliminary approval of settlement. On or before **September 3, 2010**, the parties shall file the motion and all supporting papers.

Dated: June 22, 2010



JAMES WARE
United States District Judge

¹ (hereafter, “Motion,” Docket Item Nos. 11, 41.) Defendant Unilever represents that the Motion is brought on behalf of itself and not Defendant Unilever PLC, since Defendant Unilever PLC had not yet been served at the time the Motion was filed. (Motion at n.1.) It appears that Defendant Unilever PLC was not subsequently served. (See Docket Item No. 40 at 2.) Since 120 days have passed since the filing of the Complaint on October 28, 2009, the Court DISMISSES Defendant Unilever PLC pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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7 **Dated: June 22, 2010**

Richard W. Wieking, Clerk

9 **By: /s/ JW Chambers**
10 **Elizabeth Garcia**
11 **Courtroom Deputy**

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