

United States District Court
For the Northern District of California

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E-FILED: February 23, 2012

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

BENJAMIN LEMUS, on behalf of himself and
similarly situated others,

Case No. C10-00880 HRL

Plaintiff,

ORDER OF DISMISSAL

v.

DOUGLAS CLARK dba CLARK'S
HARDWOOD FLOORS and DOES 1-10,

Defendants.

The parties having advised that they have reached a settlement, all pretrial and trial dates are vacated.

IT IS HEREBY ORDERED that this action is dismissed with prejudice. However, if any party certifies to this court, no later than May 23, 2012, with proof of service of a copy on the other party, that the agreed consideration for the settlement has not been delivered or that the settlement has not been consummated as agreed, the foregoing ORDER SHALL STAND VACATED and this cause shall be restored to the calendar and be re-set for trial.

SO ORDERED.

Dated: February 23, 2012



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

1 5:10-cv-00880-HRL Notice has been electronically mailed to:

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5 Counsel are responsible for distributing copies of this document to co-counsel who have not
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