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 13 **UNITED STATES DISTRICT COURT**
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 15 **NORTHERN DISTRICT OF CALIFORNIA**
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 17 **SAN JOSE DIVISION**

18 INTERNATIONAL BROTHERHOOD OF)
 19 ELECTRICAL WORKERS DISTRICT 9)
 20 PENSION PLAN; NORTHERN)
 21 CALIFORNIA-NORTHERN NEVADA)
 22 SOUND & COMMUNICATION DISTRICT)
 23 No. 9 HEALTH & WELFARE TRUST FUND;)
 24 NORTHERN CALIFORNIA-NORTHERN)
 25 NEVADA SOUND & COMMUNICATION)
 26 DISTRICT No. 9 APPRENTICESHIP &)
 27 TRAINING COMMITTEE; JOHN)
 28 O'ROURKE, as Trustee of the above,)
)
) Plaintiffs,)
)
) vs.)
)
) SOLANO COMMUNICATIONS, INC., a)
) California Corporation.)
)
) Defendant.)
)
)
)
)

Case No. 10-CV-1280-LHK
[Proposed] CONTINGENT ORDER OF DISMISSAL
 Judge: Hon. Lucy H. Koh
 Location: 280 South 1st Street
 San Jose, CA 95113
 Courtroom: Courtroom 4, 5th Floor

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~~PROPOSED~~ ORDER:

The parties hereto, having advised the Court that they have agreed to a settlement of this action; IT IS HEREBY ORDERED that this action is dismissed without prejudice, provided, however, that if any party hereto shall certify to this Court, with proof of service of copy thereon on the Defendant or its counsel that the agreed consideration for the settlement has not been delivered over, the foregoing Order shall vacated by this Court and this action shall forthwith be restored to the calendar. Plaintiffs may then insert the appropriate amount owed and file the Stipulation for Entry of Judgment referred to in the above Stipulation. Judgment will then be entered forthwith.

IT IS SO ORDERED.

Dated: November 22, 2010



U.S. District Court Judge