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8 Attorneys for Defendant
 9 COUNTY OF SANTA CLARA

10 UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 (San Jose)

13 TOM TSE and ANNE CAN, on behalf of
 14 themselves and others similarly situated,

15 Plaintiffs,

16 v.

17 COUNTY OF SANTA CLARA, and DOES 1-
 18 25, inclusive,

19 Defendants.

No. CV11-04458 EJD

**NOTICE OF CONDITIONAL
 SETTLEMENT, STIPULATION TO
 VACATE CASE MANAGEMENT ORDER,
 AND [~~PROPOSED~~] ORDER VACATING
 CASE MANAGEMENT ORDER**

20 On May 8, 2012, the parties reached a conditional settlement in which Plaintiffs Tom Tse
 21 and Anne Can agreed to an abatement plan for their property and will dismiss this action with
 22 prejudice after County staff approves the final grading work and issues a Final Certificate of
 23 Occupancy. The parties further agreed that the conditions of the settlement will be resolved no later
 24 than September 30, 2012.

25 The parties hereby stipulate that the Court's January 31, 2012 Case Management Order
 26 should be vacated, and a further Case Management Conference held if the parties fail to file a
 27 Stipulation of Dismissal before September 30, 2012.

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1 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
2 “conformed” signature (/S/) within this efiled document.

3 MIGUEL MÁRQUEZ
4 COUNTY COUNSEL

5 Dated: May 11, 2012

By: _____ /S/
6 MELISSA R. KINIYALOCTS
7 Deputy County Counsel

8 Attorneys for Defendant
9 COUNTY OF SANTA CLARA

10 PIERCE & SHEARER LLP

11 Dated: May 11, 2012

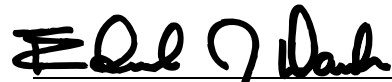
By: _____ /S/
12 SCOTT A. BERMAN, Esq.

13 Attorneys for Plaintiffs
14 TOM TSE and ANNE CAN

15 **ORDER**

16 The January 31, 2012 Case Management Order is vacated. The parties are to appear for a
17 further Case Management Conference on October 5, 2012. The October 5, 2012 Case Management
18 Conference will be vacated if the parties file a Stipulation of Dismissal before September 30, 2012.

19
20 Dated: May 14, 2012



21 EDWARD J. DAVILA
22 United States District Court Judge
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