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2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA

4 Netbulla, LLC,

No. C 06-0711 MJJ

5 Plaintiff,

**ORDER OF CONDITIONAL DISMISSAL**

6 v.


7 Bindview Development Corporation, et al.,

8 Defendant.  
9 \_\_\_\_\_/

10 The parties hereto, by their counsel, having advised the Court that they have agreed to a  
11 settlement of this case,

12 IT IS HEREBY ORDERED that this case be dismissed without prejudice; provided,  
13 however, that if any party hereto shall certify to this Court, within sixty days, with proof of service  
14 of a copy thereon on opposing counsel, that the agreed consideration for said settlement has not been  
15 delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to  
16 the calendar to be set for trial.

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18 Dated: September 24, 2007

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20 MARTIN J. JENKINS  
21 United States District Judge  
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