

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHELLE MORAN,  
Plaintiff,

v.

SUNSHINE MAKERS, INC.,  
Defendant.

Case No. 20-cv-03242-PJH

**ORDER OF DISMISSAL**

Re: Dkt. No. 33

The parties hereto, by their counsel, having advised the court that they have agreed to a settlement of this case pursuant to their class action settlement of a related action in the San Bernardino County Superior Court, O'Brien, et. al. v. Sunshine Makers, Inc., CIV-SB-2027994 (the "O'Brien action"), IT IS HEREBY ORDERED that this case is dismissed **without** prejudice; provided, however that if any party hereto shall certify to this court, within sixty days of the O'Brien court's preliminary approval of the class action settlement, with proof of service thereof on the opposing party, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this case shall forthwith be restored to the calendar to be set for trial.

If no certification is filed within 60 days of such preliminary approval **or** within six months of this order, whichever event occurs first, the dismissal shall be **with** prejudice. In the event the O'Brien settlement's **final** approval is delayed, either party may request that the court extend the above certification deadlines. Lastly, the parties may, of course, substitute a dismissal with prejudice at any time prior to the passage of those deadlines.

**IT IS SO ORDERED.**

Dated: March 18, 2021

/s/ Phyllis J. Hamilton  
PHYLLIS J. HAMILTON  
United States District Judge

United States District Court  
Northern District of California

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